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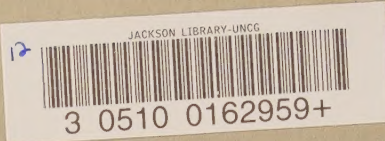
No. 12

1940

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THE EAST TENNESSEE HISTORICAL SOCIETY



EAST TENNESSEE HISTORICAL SOCIETY
Special Studies in Tennessee History, No. 1
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IMPROVEMENTS**
in
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by

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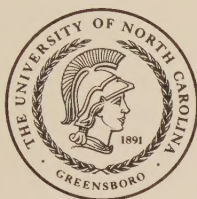
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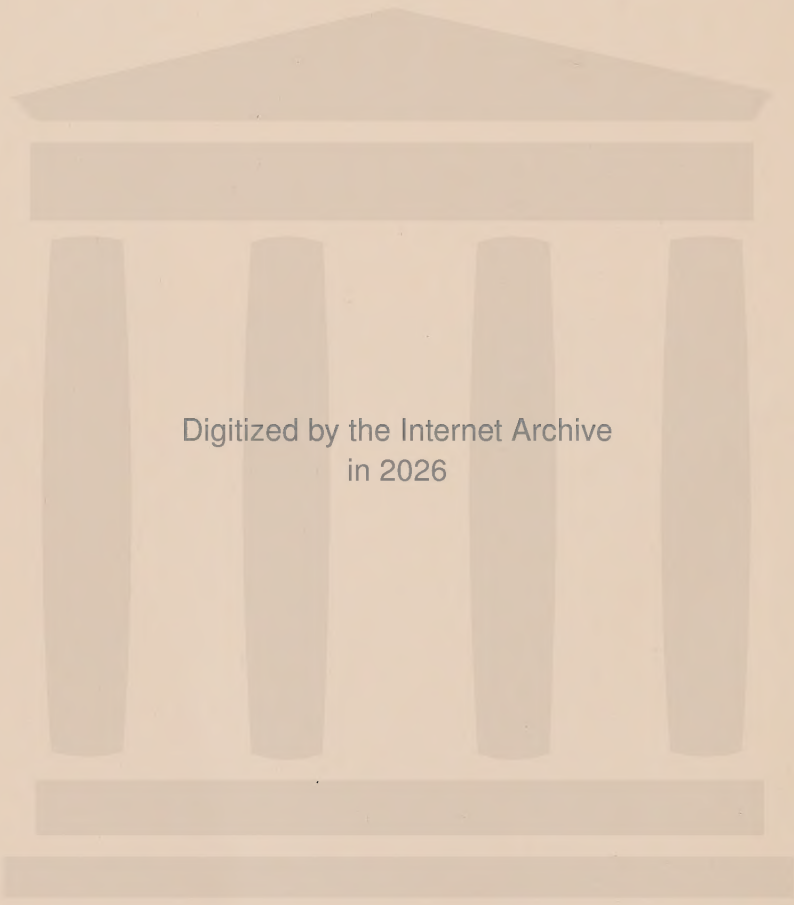
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THE SOLID SOUTH?*

By GILBERT E. GOVAN

It may seem to some of you a little strange that I should open a paper to a group of southerners whose interest is largely in the history of the section with a quotation from a foreign novelist, writing about Europe and Europeans. But the truth contained in the quotation is important to all of us, and particularly to those of us who live here in the South, where even justifiable criticism or discussion of southern problems by outsiders is too frequently resented. The quotation comes from the last page of *The War Goes On*,¹ by the great contemporary Jewish writer, Shalom Asch.

"Beware walls," old Hans Bodenheimer, one of the book's principal characters, out of his wisdom tells his nephew, "your own walls as well as the other people's. For the walls you build around yourself are even more dangerous than the other kind. And always keep a vigilant lookout over your walls—remember that there are human beings outside them as well as inside." It is a wise and profound statement, the sort of fundamental truth man has grown accustomed to receiving through the centuries from his great writers. It comes at a time, too, when it is sadly needed, for tolerance and sympathy are not the qualities by which these immediate years will be recalled. The lesson Asch wishes to drive home is that antagonisms and hatreds are the destroyers; they must be avoided, destroyed themselves; that it is part of man's obligation to tear down the barriers which erect themselves between individual and individual, between group and group, between nation and nation.

But we have seen nations build higher and higher walls about themselves. There have been tariff walls to keep out the products of other peoples; there have been great physical barriers, military fortifications, erected for wars feared as inevitable. Those in charge of national destinies have created national or racial philosophies and have attempted to interpret the whole of the history of their people in terms of such ideologies, disregarding the contribution of all other groups and nations to a common civilization. Ruling authorities have even gone so far as to force their creative artists to exile themselves

*Delivered as an address at the annual banquet of the East Tennessee Historical Society at the Andrew Johnson Hotel, October 6, 1939.

¹Shalom Asch, *The War Goes On*. Translated by Willa and Edwin Muir (New York, 1936), 528.

or to prostitute their genius to the ends and desires of those in power, thus taking from them the high privilege of artists of all ages—that of elevating the spirit of man. These rulers have removed from their people the opportunity to know what the writers of other lands and times have written, unless it conforms to the established ideology, thus erecting intellectual as well as physical and economic walls about them.

Our civilization, though, is based largely upon the interchange of ideas as well as material advances between nation and nation, between people and people. We must have international standards of moral values as well as economic if we are to be able to live on terms of peace and understanding with our fellowmen. Those standards can only be established by centuries of testing under all sorts of conditions. It is not alone because we believe tolerance and mercy and honesty and truthfulness are good that we hold to them; it is also because through the centuries man has tested them against opposing ideas and ideals and has proved them good.

We live, though, in a period when these eternal values in some areas have been discarded. Not because they have been proved false, but because it is expedient for certain national governments to maintain that they are no longer valid, no longer true. Might, not truth, they say, is right and will prevail. In their hearts, they know—no less than you and I know—it is not so. And their peoples know it is not so. Temporarily, though, they have forgotten, and one of the reasons for their forgetting is that the rulers have taken away from the people one of the chief treasures of man's inheritance, the writings of the great literary artists of all times.

From the beginning, there have sprung up these gifted people. Primarily entertainers (and remember everything man does well has a quality of entertainment about it, so do not look upon my use of the word entertainment as containing any association of cheapness), they have been instructors as well. Through their use, the accumulated wisdom of the ages has been perpetuated and handed down. Nor is that all; they have also been recorders, historians. Fortunately, though, they have been more than historians. They record, not so much the fact itself (although they may also do that), as the circumstances and the emotions out of which the fact grew and which are a consequence of it. These may be obscure things, hidden to the eye which looks for and writes down such seemingly major events as a political election or a war, but they are equally important. It was

a wise man who said: "I care not who writes the laws of a people if I can write its songs."

Unfortunately, not everyone realizes the great historical contribution of the creative writers—the novelists, poets and dramatists—of the ages. It may be attributed to walls somewhat slighter in degree but no less regrettable than those of which I have spoken that we so largely leave other things than our immediate interests to other people. In our mechanized age of specialization, each of us is likely to become pigeonholed. And, too, our areas of effort seem to become more and more restricted. You know, of course, the rather well-worn joke about modern scholars tending to know more and more about less and less. It applies equally well to most of us. We leave music too largely to musicians, poetry to poets (one of them publicly bemoaned the fact not long ago and said that the audience for poetry had grown so small that poets had begun to speak only "the language of their friends"), painting to painters, and so on. If occasionally a fortunate individual is found who can get enjoyment from all these things, he is likely to be damned as an esthete, while those who damn him compliment themselves as practical men, rather than regret their shortcomings.

Factual writers—so called to distinguish them from the creative—are no less guilty of this than others. Secure in their belief that fact is truth and fiction is not, many of them have never understood the importance of the creative arts, aside from their esthetic values. The creative writer works no less from fact than does the historian. It is a mistaken though widely prevalent idea that the novelist, for example, reaches out into the air and pulls in some imagined circumstance and people whose like never existed to use as the materials for a book. The idea is ridiculous on the face of it. If you will stop and think you will realize that you can imagine nothing other than that which is real. Whatever your mind conceives is in terms of experience, your own or that of others. So is it true of writers: "Experience, observation, the looks and ways and words of 'real people,' all melted and fused in the white heat of the creative fires—such is the mingled stuff which the novelist pours into the firm mould of his narrative," says a fine American writer, Edith Wharton.² And you will find it confirmed by practically every other artist who has expressed himself on the subject.

The writer, if he be serious and the great ones are, creates out of problems which seem important to him. And they seem important to

²Edith Wharton, *A Backward Glance* (New York, 1934), 212.

him because they seem important to his fellows, for—regardless of how aloof he may appear to hold himself—he is involved in the same mesh of circumstances that puzzles or pleases the rest of us. There is, though, one fundamental difference: he is a more aware and articulate instrument; so sensitive is he to currents of fact and emotion that he can imagine himself in circumstances he may never have actually seen; he can reproduce emotions which he has never actually felt except through the use of his imagination.

I never saw a moor,
I never saw the sea;
Yet know I how the heather looks,
And what a wave must be.³

So testifies Emily Dickinson. Stephen Crane wrote *The Red Badge of Courage* when he knew only at second hand what the sound of a bullet was like, but his understanding of how a human being feels under the torture and fear of that most unhuman of man's activities, war, was so vivid and complete that old soldiers have been unable to believe that he did not fight through the Civil War. I have had more than one veteran tell me that it was the best book on war he had ever read.

That is the important contribution of the creative writer. Historians have long recorded wars and the effects of wars; few of them, though, have been able to give us any conception of what war actually is like to those who fight it. That is not a portion of the fact, but it lends an understanding which makes the fact even more important. (You see, it is not my intention to minimize the importance of historians; only to attempt to make you understand that the function of the creative writer—usually not considered a serious writer by those who deal with so called facts—is of equal or occasionally of greater value.)

"Fiction is not fact," said Thomas Wolfe, "but fiction is fact, selected and understood, arranged and charged with purpose."⁴ It is true, I think, that there can never be such a thing as purely objective history. Each historian has a picture in his mind when he sits down to write which he wishes to present. He has chosen his material with an eye to that picture, and he is likely to omit material which will so distort his story that that picture will be obscured. I think this natural. Only gods, not men, could do more. Nor do I believe that

³Emily Dickinson, *Poems* (Boston, 1930), 163.

⁴Thomas Wolfe, *Look Homeward Angel* (New York, 1929), vii.

all the material about any period or individual can be found. That always leaves the possibility of a new book coming along and invalidating any old one—from either a new point of view, a new picture, or because there have been newly discovered facts. Even a new action by a nation or an individual may change an old historical idea. In the last twelve or fifteen years, there had grown up the belief that the battle of Warsaw, in which the Russians were defeated in 1920, was among the great battles of all time; not in the size of the armies or the tactics displayed, but in influence: it turned the Russians away from Poland and toward the east. But what are we to say today? Without firing a gun (I think that is right) Russia has all of Poland she ever desired; she is again knocking at the door of Western Europe. Where now is the importance of the battle of two decades ago?

Once facts are “selected and understood, arranged and charged with purpose,” though, they become more than fact; their use by a great creative artist makes of them a part of universal experience, something true as long as paper and ink stand, not merely a record which may be changed at the whim of fate or through the discovery of a letter or the signing of a new treaty. No account of that great and tragic circumstance, the French invasion of Russia in 1812, by biographer or historian, is comparable to Tolstoi’s immortal *War and Peace*. In that book, the material is so shaped and used that it becomes something far different from a factual account of a military expedition; the characteristics of an entire people and their mystical attachment to their homeland are revealed in the pages of this, among the very greatest of novels. But more than that, war is seen to be the inconclusive, ineffectual thing we now recognize it to be, having fought a war to end wars, only to have another grow so quickly out of the embers of the old. We understand more about Russia and Russians and about war from *War and Peace* than from any other book that I know. It is again an evidence of the revelation of truth to be gained from the serious creative writer.

Not all the revelation, though, is about the past or about strange countries across the sea; there are the writers of our own section and our own time, and many of these are doing their best to break down walls which need demolishing. If there were need of proof that writers use problems which are of importance to their contemporaries, I know no greater than is offered by present-day southerners. Termed “economic problem number one” in the nation, the South has resisted the classification. It is neither my intention nor my wish to

argue this question, but what testimony do we find from our writers? There was a time when most southern novelists placed their characters in great houses with beautiful wide verandas, on which typical aristocrats sipped their juleps and discussed events in more or less moral terms, mingled it may be with some little polite profanity. That South was truly presented, although it was never typical, but it did represent a rather universal longing among southerners who sentimentally evolved the picture to stand for a day gone by. For that South, as Henry Grady said many years ago, is dead. There is a South, as Mr. Grady continued, which looks no longer with eyes upon the past, but realistically upon the future.

I know that somewhat absolute statement can be argued. There are still sentimentalists among us, those who mistakenly contest honest criticism, but their number is daily growing less. And they contest the criticism because they have unconsciously adopted a slogan which I detest. I do not know where the phrase, "the Solid South," originated. Probably it was first used by a northern waver of the "bloody shirt," to express his contempt for all things southern. It is alliterative and it caught the popular fancy. But it is not true, however it may have affected sectional thinking (for it has had mental consequences on both sides of Mason and Dixon's line). I do not believe I have to point out to you that the South has never been a unit. Even during the Civil War there were dissensions and revolt. Certainly, the South has diverse economic interests, and ethnically it is by no means as unmixed as popular thought believes. Even on the suppression of Negro suffrage, the South is not completely in agreement; Negroes have voted freely in Tennessee since 1867.

No, there is not, nor has there ever been "a solid South," although we have had many evil consequences of the phrase, among them an inability, for many years, either to accept criticism or to develop that healthy self-criticism which is necessary for progress. If an opinion critical of the South were voiced, there were no attempts to examine it for its truth; immediately detractors of the section began to nod their heads and say, "I told you so," while its defenders—no less blindly—shouted as loudly as they could, "It isn't true." Both attitudes were and are—for they still exist—unreasoning. Everything which can be said about any section can probably be said about the South, but nothing which can be said in one book or group of books is the whole truth about either.

In other words, by accepting no criticism southerners help to create in those unfamiliar with the region an attitude of belief in all criti-

cism. Like any other southerner, I dislike unfair criticism of the South, but I attempt to save my ammunition for defense when such criticism appears. For it is not only wasted in attempts to deny just critics, but it alienates the interest which prompted them.

In all fairness, one must remember that a writer does not always like to point to a sore spot in the life of which he is a part. I have heard people who should know better say, "So-and-so must be a horrible fellow; his books are so dirty." Actually, the very reverse is probably true. The reason So-and-so uses the material he does is because he despises the circumstances he describes and wants them changed. His method for accomplishing this is to call everyone's attention to them that he can. If we were wiser, we would direct our indignation at the things he hates, rather than at him, as we so largely do.

I use "we" here purposely, for I have done my share. For several years, I could not understand what Erskine Caldwell was attempting to do. I said many times that I could not believe the counterpart of old Jeeter Lester existed outside of an insane asylum. I resented such a picture of Georgia being broadcast. I thought Caldwell was guilty of allowing people to believe he was drawing a complete picture of Georgia life. I do not know that you are familiar with the decision read by the New York judge before whom the attempt to suppress the book and play was made, but he said that he was convinced that Caldwell had accurately presented Georgia life in the book. I was indignant, but it didn't occur to me until a great deal later that I—and a great many more like me—was at fault. I should have said immediately—as New Englanders did say when *February Hill*, much the same sort of picture of a decadent New England family, was published—that it was true, but of course not all the truth. And that Georgians were hopeful of doing something about such people.

I should like to leave the impression that I evolved for myself this idea, but would leave you with too great a belief in my intelligence. I was convinced only when a squatter with his family moved into a cabin on a place owned by my father not so many miles from the "tobacco road." There were the man, his wife, and eight or nine children. Two of the children were in the chain gang; two were in the insane asylum at Milledgeville; another poor unfortunate lay on rags on the floor of the cabin, screaming day and night, unable to answer a question or speak an intelligible sentence. The man, hardly worthy of classification as a moron, would do nothing to provide for his family, and seemed to enjoy it. My father bought seed for him

to plant a garden, and offered to hire a mule and plow for him to put it in. His only feeling about it was that it took too much effort. The seed rotted and the garden was never made. For two or three years, that family squatted on the property and was fed through the generosity of a few of the neighbors. The filth in which they lived is beyond my powers of description; they were guilty of all the moral and legal crimes of which they were capable, except, probably, murder. The only way my father could get rid of them was to lend the property to the county for use as a school, and the county did something with them; I am not sure what.

That was the circumstance which convinced me that Caldwell is no renegade, no traitor to the South. He probably has a greater affection for the South than many of his detractors, because he is not afraid to point out the South's shortcomings. He has the courage of his affection. He points out the sore spots, not because he likes to or likes them, but because he wants the South to be the place he believes it is possible for it to be, but cannot until such horrible circumstances are changed.

And everywhere one turns among the southern writers, he finds something of the same interest among them. We have few, if any, Thomas Nelson Pages now, and I do not intend that as a sneering remark. Mr. Page was true to his period, that which sentimentalized over a South which had gone. Even when our novelists of today turn back to Civil War days or before, they rarely fail to point this lesson out. From DuBose Heyward's beautiful closing scene in *Peter Ashley*, I take this passage (it is a description of the departure from Charleston of a troop of cavalry for the front in Virginia):

Out across the vivid green of the lawn, under the great live oaks, the column moved, plunging into shadow and again out into the dazzle of the morning sun. Two centuries had gone into the making of the little cavalcade. Axes had rung in the primeval forest, plantations had grown and spread, life had provided itself with its necessities, then had clothed itself in an appropriate and individual beauty. There had been a spaciousness about the days. Room for youth to ride untrammelled under the high St. John's sky, to love in privacy, to beget, to know the unrestrained laughter of children. And, at the last, room for a man to grow old gently and, still loved, to pass into the graveyard on the land that his feet had always trod. And down the years always, like the wand passed from hand to hand of runners in a race, the tradition of gentility, hospitality, loyalty to one's own. . . .

They were in the highway now, forming again for the march, beautiful lithe bodies flowing in rhythm to the antics of their thoroughbred mounts, drenched in a flood of June sunshine. But to Chardon the glory that lay

about them was not that of high summer, but the light which slants long-shadowed across an autumn field.⁵

The sun has gone down—long since gone down—upon such scenes. If we have saved anything from their grandeur and glory, it is to be found in that short phrase of Heyward's, "the tradition of gentility, hospitality, loyalty to one's own." None of them is completely observed, I imagine, but we of the South can be a unit in wishing and attempting to achieve their accomplishment. One thing we have found out, if the evidence of our writers is to be believed, and I know that it should be; that is that "our own" includes all southerners, not one class or group. All over the South, there are writers who are telling us about the common man: the laborer, the tenant-farmer, the share-cropper, the Negro. Out of these depressed circumstances have come such beautiful and distinguished books as Elizabeth Madox Roberts' *The Time of Man* and Marjorie Rawlings' *The Yearling*. Equally sincere and but slightly below these in distinction are Ellen Glasgow's *Barren Ground* and Paul Green's *This Body the Earth*. Caroline Miller won a Pulitzer prize with her faithful and moving account of the difficulties of the southern pioneer, *Lamb in His Bosom*, and James Boyd first attracted favorable attention with his stories of Scotch-Irish yeomen, *Drums* and *Marching On*. Emmet Gowen, in *Mountain Born*, and Victoria Halper, in *Thursday April* have used mountain people for less sentimental purposes than usual; there is no exaggeration of situation or dialect by either, but an attempt at genuine reproduction which gains belief and respect from the reader. Julia Peterkin and DuBose Heyward have told us in such moving stories as *Black April* and *Porgy* of the low country Negroes, while among the Negroes, themselves, we find a group of writers who are making a serious attempt to present their people as they are, not as they might wish them to be. Zora Huston's *Jonah's Gourd Vine* and *Their Eyes Are Watching God* are novels in which there is no suppression of fact to achieve effect; G. W. Henderson's *Ollie Miss* is equally serious in intention. These southern Negro writers participate in the same feeling displayed by the white novelists: first, the truth must be told in order that good may come; and second, there are equally sincere emotions among common men, and tragedy and heart-break equal to that found among more privileged people.

When our writers use the aristocracy, it is to show its sham and pretence, or to portray scions so decadent that one realizes the impermanence of its influence. William Faulkner of Mississippi—once

⁵DuBose Heyward, *Peter Ashley* (New York, 1932), 315-16.

Arnold Bennett said that he "writes like an angel"—is one example, and remember that old Lester in Caldwell's *Tobacco Road* is the grandson of a great plantation owner. Here I want to turn to a fine contemporary southern poet, one whose name will display her inheritance as far as blood is concerned, and her poem is no less obvious testimony of her thought about such things: it is "The Misses Poar Drive to Church," written by Miss Josephine Pinckney of Charleston:

Out from the tall plantation gate
Issue the Misses Poar in state.
Neatly darned are their black silk mitts,
And straight each stately sister sits.
Their carriage dresses, brushed and steamed,
Cover their decent limbs; they seemed
No finer, really, before the War
When money was free in the house of Poar.
The Negro coachman in beaver hat,
Slightly nibbled by moth and rat,
Smooths his frock coat of greenish hue,—
But fitting as trim as when it was new—
With which he stiffens his spine of pride
By tightly buttoning himself inside
To drive in this elegant equipage
A yoke of oxen of doubtful age.
(They've had no horses since sixty-four
When the Yankees stopped at the house of Poar.)

The ladies move to the square front pew,
Their Christian meekness in ample view,
And follow the youthful parson's word
With reverence meet for a legate of God
Up to the moment when he prates
Of the President of the United States;
Then, knowing full well that Heaven can't
Expect them to pray for General Grant,
They bury their noses' patrician hook
In dear great-grand-papa's prayer-book,
Wherein are found urbane petitions
To guard the Crown against seditions
Not that they hold King Charles so dear,
Although their blood is Cavalier,
But it suits their piety, on the whole,
And rest King Charles the Martyr's soul.
Better to pray for the Restoration
Than the overseer of a patch-work nation.⁶

⁶Josephine Pinckney, *Sea Drinking Cities* (New York, 1927), 73.

I do not believe you can escape the ironic intention of that poem, but equally I do not believe you can help realize that the irony is directed at the silly sentimentalism displayed by the Misses Poar. Miss Pinckney is by no manner of means ashamed of her "Cavalier blood," nor of the actions of those Cavaliers from whom she is descended. It is, though, among the "strong black people" of whom she speaks in *Sea Drinking Cities* or the street vendors whose calls she celebrates in *Street Cries* that she finds her richest, most colorful, human material.

There is another fine southern poet, Anderson Scruggs, an Atlantan, who has found most of his inspiration in simple things and men; he knows and appreciates the appeal of old friends, of Negro houses, sagging, as he says, "with the heavy armor of the sun." And in one of his finest sonnets, he sings to the glory of the ordinary man.

Glory to them, the toilers of the earth
Who wrought with knotted hands, in wood and stone,
Dreams their unlettered minds could not give birth
And symmetries their souls had never known.
Glory to them, the artisans who spread
Cathedrals like broad lace before the sun,
Who could not build a rhyme, but reared instead
The Doric grandeur of the Parthenon.

I never cross a marble portico,
Or lift my eyes where stained glass windows steal
From virgin sunlight moods of deeper glow,
Or walk dream-peopled streets, except to feel
A hush of reverence for that vast dead
Who gave us beauty for a crust of bread!⁷

And from that greatest of southern poets and novelists, for he was both, although I do not know that he ever arranged a thing that he wrote as poetry, Thomas Wolfe, I take this section of *From Death To Morning*, changing the word "Catawban" to Southerner, and Catawba to South, for though he wrote of North Carolina, it fits equally well for great portions of the South.

No. The Southerner of today is not like this, nor would he want to be. He is not a colonist, a settler, a transplanted European; during his three centuries there in the wilderness, he has become native to the immense and lonely land that he inhabits, during those three centuries he has acquired a character, a tradition, and a history of his own: it is an obscure history, unknown to the world and not to be found in the pages of books, but it is a magnificent history, full of heroism, endurance and the immortal

⁷Anderson Scruggs, *Glory of Earth* (Atlanta, 1933), 95.

silence of the earth. It lives in his heart, it lives in his brain, it lives in his unrecorded actions; and with this knowledge he is content, nor does he feel the need of ballads or Armadas to trick him into glory.

He does not need to speak, he does not need to affirm or deny, he does not need to assert his power or his achievement, for his heart is a lonely and secret heart, his spirit is immensely brave and humble, he has lived alone in the wilderness, he has heard the silence of the earth, he knows what he knows, and he has not spoken yet. We see him, silent and unheralded, in the brief glare of recorded event—he is there in the ranks of the American Revolution, and eighty years later he is there, gloriously but silently, in the ranks of the Civil War. But his real history is much longer and much more extraordinary than could be indicated by these flares of war; it is a history that runs back three centuries into primitive America, a strange and unfathomable history that is touched by something dark and supernatural, and that goes back through poverty and hardship, through solitude and loneliness and death and unspeakable courage, into the wilderness. For it is the wilderness that is the mother of that nation; it was in the wilderness that the strange and lonely people who have not yet spoken, but who inhabit that immense land from East to West, first knew themselves.

The real history of the South is not essentially a history of wars or rebellions; it is not a history of politics or corrupt officials; it is not a history of democracy or plutocracy or any form of government; it is not a history of business men, puritans, knaves, fools, saints or heroes; it is not a history of culture or barbarism.

The real history of the South is a history of solitude, or the wilderness, and of the eternal earth; it is the history of millions of men living and dying alone in the wilderness; it is the history of the billion unrecorded and unforgetten acts and moments of their lives; it is a history of the sun and the moon and the earth, of the sea that feathers eternally against the desolate coasts, and of great trees that smash down in lone solitudes of the wilderness.

The history of the South is the history of millions of men living alone in the wilderness, it is the history of millions of men who have lived their brief lives in silence upon the everlasting earth, who have listened to the earth and known her million tongues, whose lives were given to the earth, whose bones and flesh are compacted with the earth, the immense and terrible earth that makes no answer.⁸

There is the common man's contribution to the South beautifully and completely stated. Thomas Wolfe also saw, as all our great writers see, the diverseness of the South. And he, as do they, pointed it out to us. Joseph Conrad, in the famous preface to his *Nigger of the Narcissus*, says: "My task which I am trying to achieve

⁸Thomas Wolfe, *From Death to Morning* (New York, 1935), 202-04.

is, by the power of the written word to make you hear, to make you feel—it is, before all, to make you *see!*"⁹ It is the intention of these contemporary southern writers, also, to make us see in the larger sense the land and the people in which and among whom we live. They are doing their best to rid us of the incubus of "Solid South" thinking. If the ordinary man in the ranks is inarticulate, as Wolfe has said, he has a hundred mouthpieces, all busy telling the truth as they see it. They are all crying to us, each in his own way, that "all men are brothers," to use the title of the American translation of a great Chinese novel. They are performing the age-old duty of the creative artist: they are informing us about ourselves and our fellow-men, and in so doing they are pointing out some of our southern "walls," and people outside them. They are calling our attention to some of the circumstances which have caused others to label the South an "economic problem."

Probably the most important interpretation to be gained from this evidence of interest by our writers, though, is that it signifies that you and I have become conscious to a greater extent than heretofore of southern problems. The common destinies of contemporary southern writer and reader point to this common interest. My wish is that both will continue to evidence it, and that, through the stimulation and assistance of the writers, the rest of us shall attack the problems as realistically as they have presented them. Among the first steps in this direction, in my opinion, is the ridding ourselves of the incubus of thinking of the South as a unit, of that old shibboleth "the Solid South."

⁹Joseph Conrad, *Nigger of the Narcissus* (New York, 1914), xiv.

EARLY BAPTIST MISSIONARY WORK AMONG THE CHEROKEES

By JAMES W. MOFFITT

The first Baptist missionary work among the Cherokees of which we have record was that of Thomas Johnson of Georgia, who "devoted much of his life to mission work among the Cherokee Indians," before 1799.¹ Perhaps other efforts had been put forth to Christianize these Indians by their white Baptist neighbors. Just how many became Christians there is no way of knowing, because there are no known contemporary accounts available.²

Renewed interest in missionary work among the Cherokees came in 1816-1817 during the mission tour of the South of the Reverend Luther Rice, general agent of the Baptist General Convention. He came in contact with the Reverend Humphrey Posey with whom he discussed the subject of Cherokee missions. Posey had already made several missionary journeys through their nation but with little success. With the organized assistance of the Baptists of America, however, Posey saw the realization of his hopes. After some correspondence with Dr. William Staughton, secretary of the Baptist Board of Foreign Missions, and two trips of inspection through the Cherokee Nation, he began his labors as the regularly appointed missionary of the Baptist General Convention on December 1, 1817.³ Shortly thereafter he established schools at the Cherokee towns of Tillanocoy, Eastatoy, Cowee, and at the home of Edward Tucker, a Cherokee mulatto, who had served him as an interpreter. He employed four teachers for these schools at salaries of \$40 per month. In the winter of 1818, Posey preached to both white people and Cherokees on Pine's Creek, and Scott's Creek, and to other Indians on the upper Hiwassee River in North Carolina. In February of this same year, he carried his preaching activities on into South Carolina. At Pendleton, South Caro-

¹A. H. Newman, *A History of the Baptist Churches in the United States* (Philadelphia, 1898), 342; R. S. Douglass, *History of Missouri Baptists* (Kansas City, 1934), 21.

²Among the early missionaries to the Cherokees was the Reverend William Standidge. For several years prior to 1817 as a minister and teacher he was supported by the Sarepta Association in Georgia to work among the Indians whose lands bordered on this association. G. W. Paschal, *The Cherokee Mission* (unpublished article in possession of the author, Wake Forest, N. C.).

³*Ibid.*; *Baptist Missionary Magazine*, XVI (Boston, 1836), 50.

lina, he held a meeting and took up an offering for his Indian schools. He continued his tour into Georgia, preaching as he went. On his return trip to North Carolina he was accompanied on a part of the journey by another Baptist minister, the Reverend Thomas Brown, who, he learned, had been associated with three other Georgia Baptist preachers in missionary work among the Cherokees of Georgia, all in the employment of the Sarepta Baptist Missionary Society.⁴

He soon felt the urge to go on an exploring trip beyond the Mississippi River, perhaps with a view to locating there. His extended absence brought about a loss of interest in the schools, resulting in their suspension. Upon his return early in 1820, he set up a mission station at Valley Towns on the Hiwassee River in the southwest corner of North Carolina near the present town of Murphy.⁵ A farm consisting of eighty acres was cleared and placed in cultivation; three houses were built,⁶ and the farm was supplied with stock and farm implements. A school was started with several assistants and fifty pupils,⁷ instruction being given in the Scriptures, in the useful arts, and in the knowledge of civilized life.⁸ Two years later there were thirty-seven pupils, although the number had been as high as sixty. Instruction was being conducted upon the Lancasterian plan. Reading, writing, and arithmetic were taught to all, and the boys were being instructed in the "first principles of husbandry" and the girls in the "ordinary domestic arts."⁹

Reënforcements were sent out to the Valley Towns station by the American Baptist Board of Foreign Missions in September, 1821.

⁴William W. Crouch, *Missionary Activities among the Cherokee Indians* (M. A. thesis, University of Tennessee, August, 1932), 3.

⁵Emmet Starr, *History of the Cherokee Indians* (Oklahoma City, 1921), 255; *Baptist Missionary Magazine*, XVI (1836), 50; William Gammell, *A History of American Baptist Missions* (Boston, 1849), 324.

⁶John C. Calhoun wrote to Reverend Luther Rice, agent for the Baptist Board on February 5, 1820: "The plan for the establishment of a school in the Cherokee country, submitted by the Baptist Board of Foreign Missions appears judicious...." Department of the Interior, Office of Indian Affairs, Letters Received, 1820, The National Archives, Washington, D. C. Hereafter cited, O.I.A. There are other letters which throw additional light on the plans for this school. Of particular interest are those of John C. Calhoun to Col. R. J. Meigs, February 5, 1820; Humphrey Posey to Col. R. J. Meigs, Valley Towns, N. C., April 23, 1820, and June 13, 1820. O. I. A., Letters Received, 1820, The National Archives.

⁷One of these assistants was the Reverend Thomas Dawson of Georgetown, Kentucky. *Baptist Missionary Magazine*, XVI (1836), 50; *Latter Day Luminary*, II (Washington, D. C., 1820), 117. He also carried on some work among the Cherokees of South Carolina. W. C. Allen, *History of South Carolina Baptists* (unpublished article in possession of the author, Greeneville, S. C.).

⁸Gammell, *op. cit.*, 323.

⁹*American State Papers, Indian Affairs* (Washington, 1822), II, 277.

Among these were the Reverend Thomas Roberts, who was appointed superintendent, Mrs. Elizabeth Roberts, a blacksmith named Isaac Cleaver, and Mrs. Cleaver. As teachers the following were appointed: Reverend Evan Jones, Mrs. Evan Jones, Elizabeth Jones, Mary Lewis, and Ann Cleaver.¹⁰ John Farrier was to look after the farming and weaving activities.¹¹

This devoted group of missionaries, who were members of the old Baptist Church at Great Valley Church in Pennsylvania, were set aside to go to North Carolina to minister to the Cherokees under the leadership of their noble pastor, the Reverend Mr. Roberts. In an impressive and touching service at the Sanson Street Baptist Church in Philadelphia, they were set apart for their great work, eloquent prayers and beautiful hymns adding to the solemnity of the occasion. The next morning at eleven o'clock several hundred people gathered in one of the squares to bid farewell to them as they bravely set out for their new home among the red men. In four wagon loads they traveled until they reached their destination at Valley Towns Station.

In 1821 mission work was started at Tinsawatee in northern Georgia, on the Hightower River sixty miles southeast of Valley Towns, by the Sarepta Baptist Missionary Society, under the patronage of the American Baptist Board of Foreign Missions. A school was started with twenty-eight pupils who seemed to be making rapid improvement.¹² In 1824 the board appointed a man who was to have a great influence upon the Cherokees, the Reverend Duncan O'Bryant.¹³ Mrs. O'Bryant was also one of the teachers. O'Bryant continued the day school at Tinsawatee, Georgia, and erected a schoolhouse and a residence. A part of their support was furnished by a society in the Sarepta Baptist Association in Georgia.¹⁴

The school at Tinsawatee continued to do well under the direction of Reverend Littleton Meeks, who was appointed by the Sarepta Association to represent it. The Reverend Duncan O'Bryant continued as teacher. The enrollment averaged twenty pupils. They

¹⁰*Baptist Missionary Magazine*, XVI (1836), 51.

¹¹*American State Papers, Indian Affairs*, II, 277.

¹²*Ibid.*, II, 277.

¹³Transcripts of records furnished by Coe Hayne of the American Baptist Home Mission Society and by Jessie Bates of the American Baptist Foreign Mission Society, New York, N. Y. Hereafter cited as Baptist Mission Transcripts.

¹⁴*Baptist Missionary Magazine*, XVI (1836), 51; Solomon Peck, "History of the Missions of the Baptist General Convention," in *History of American Missions to the Heathen* (Worcester, Mass., 1840), 390.

made satisfactory progress in reading, arithmetic, and writing. The mission school also contributed to their improvement in the domestic arts and in agriculture. The Indians showed especial attachment to O'Bryant and the native pupils seemed to benefit from living with the mission family. In 1829 the school was transferred to Hickory Log, which was ten miles down the Hightower or Etowee River. O'Bryant continued to have pastoral oversight at both places and successfully maintained religious interest.¹⁵

In 1831, when about eighty Indian families decided to go west, they desired that their faithful minister accompany them. The Baptist Board of Foreign Missions gave O'Bryant permission to accompany them and the Baptist association to which they belonged also gave its best wishes. Following a very impressive farewell service these dauntless Cherokee Baptists set out on the long journey to their new home under the able leadership of their beloved pastor. In May, 1832, they reached their destination in the West, in what is now Oklahoma, two miles from the Arkansas line and about seventy miles north of Fort Smith, Arkansas.¹⁶

Here a station was commenced on May 6, 1832. The settlement was composed principally of emigrants who had accompanied O'Bryant from Tinsawatee in Georgia and who after their arrival were occupied for a time in preparing habitations for themselves. As soon as their missionary had put up a log house, and before it was completed, he opened it for worship on Sunday and collected his people together again. The church, composed of fifteen members, resumed its services. As soon as he could make arrangements for a school, twenty pupils were collected.¹⁷ During the year a house for worship and for the use of the school was constructed. A grist mill and a sawmill on a good stream were also erected.¹⁸

In the meantime, interest in the East continued to grow. By 1823 several of the Cherokees showed marked interest in the teaching of the missionaries of the Valley Towns station. John Tinson was the first Cherokee converted. He and his wife, who also seems to have been converted about this time, proved of great assistance.

¹⁵*Ibid.*, 494.

¹⁶*Ibid.*

¹⁷*Baptist Missionary Magazine*, XIII (1833), 229.

¹⁸In his Journal under date of September 12, 1832, Isaac McCoy wrote that he had heard that O'Bryant, with some of his church, were in the Cherokee country about fifty miles east of Ebenezer, preaching and getting ready to open a school. The McCoy Journal may be consulted at the State Historical Society of Kansas.

Tinson served as interpreter and often carried on a meeting in a satisfactory manner. The mission also made progress along secular lines. Roberts reported the same year that they had raised three thousand bushels of corn and some flax, oats, and rye. Sixty-five pupils were enrolled in the school, forty of whom attended regularly. The majority of the students could read and many of them could write. They were well behaved in the family circle and listened attentively at the preaching services. In February of the following year the superintendent wrote that they had been forced to limit the number of pupils at the school to fifty. Interest continued to be manifested in the subject of religion. The ordinance of baptism had been administered to two Indians and one white man.¹⁹

After several years of experience the missionaries decided to draw up some definite regulations in regard to the admission of students and their dismissal from school, as well as rules to be followed by the parents or guardians of the children. As adopted in 1824 they were as follows:

1. The school shall consist of not more than fifty boarding scholars, for the present.
2. No pupil, having parents or guardians, shall be admitted, without an engagement on the part of such parents or guardians to comply with these rules.
3. These rules shall be read and explained to every parent or guardian, applying for the admission of a pupil, and also to every orphan or adult who shall apply on his own behalf.
4. All parents and guardians shall furnish their children with shoes, and one blanket, at least; and those who are able, shall furnish their children with clothes during their continuance at school. Inquiry to be made of the party, and the result to be noted down in the school register.
5. After this time, no child who speaks English shall be admitted, under ten years of age; nor any one who cannot speak English, under six.
6. Every pupil shall continue at school till he has attained, at least, a plain English education, according to the laws of the Cherokee nation: provided, however, that no pupil admitted at ten years of age, and speaking the English language, be continued at school more than four years.
7. Should any child, after one quarter's continuance at school, manifest an incapacity to learn, the parents shall keep such child at home one year, at least, when he may again be admitted on trial for one month.

¹⁹Peck, *op. cit.*, 391-92.

8. Any pupil who shall attend any ball, play, or dance, or be guilty of getting drunk, shall be expelled from the school; and shall forfeit all clothes received from the mission, except a mere covering. And in case any one, being guilty of a breach of this rule, shall conceal or take away any clothes or other property, belonging to the mission, the proper officers of the nation shall be directed to pursue him, or them, for the recovery of the same.

9. Any pupil convicted of stealing, shall be excluded from the school, and forfeit his clothes.

10. There shall be two weeks vacation in every quarter, for the children to visit their parents; and no scholars shall be allowed to be absent at any other time. And in case any pupil shall continue from school two weeks after the expiration of the vacation, without sufficient cause, of which timely notice shall be given, his place shall be filled up by the next applicant; and the pupil so offending shall return the clothes received from the mission.

11. No scholar shall be allowed to keep a horse, dog, gun, or dirk, at the establishment.

12. All clothing shall be given for tickets.

13. Every person, belonging to the mission family, shall use their utmost endeavors to enforce the observance and execution of these laws, in all cases, without partiality or respect of persons.²⁰

The adoption of these rules had the salutary effects of causing the parents to realize that they were not conferring a favor upon the missionaries in allowing them to teach their children, and of increasing the respect of the pupils for their teachers.

In 1824 Humphrey Posey, Thomas Roberts, Elizabeth Roberts, and John Farrier withdrew from active work at the Valley Towns station. However, Roberts was employed for some time to gather funds for the support of the mission.²¹ In 1825 Evan Jones was ordained pastor of the Valley Towns church which was received into the Hiwassee Association* which lay across the line in Tennessee.²² This remarkable man now stands out as the leader of the various activities at this mission station. In the same year Jones wrote that there had been several conversions among the students at the school.²³

²⁰*Ibid.*, 392.

²¹Baptist Mission Transcripts, 3.

²²Peck *op. cit.*, 392.

²³A report of Evan Jones for the Indian school at Valley Towns, Cherokee Nation, gives some pertinent facts such as the number of pupils for the year ending September 30, 1825. O.I.A., Letters Received, 1825, The National Archives.

A helpful means toward this end was a study of Baldwin's catechism. The death of an exemplary Christian Cherokee named John Arch led to the conversion of a white woman who worked at the station. She and the daughter of Evan Jones were baptized at this time. Dawson, who had been a very successful teacher, withdrew from his teaching duties as a result of ill health. In the year 1826 Jones wrote that the school was doing well. Nearly one hundred pupils had been taught to read and several had been influenced to lead better lives. Some of them had settled down as heads of families and were having a good influence by leading exemplary Christian lives. They continued to have a sincere interest in the welfare of the missionaries, sympathetic with them in their struggles and gratified at their success. The Reverend Evan Jones continued his ministrations. In the year 1827 he was preaching often at five different places in the Cherokee Nation and seems to have been quite successful in his work. The Cherokees continued to manifest an interest in education. The Christian teachings seemed to be having a wholesome effect. The missionary reported that swearing had been abandoned, that the Sabbath was being observed, and that temperance had replaced excessive drunkenness. In July of that year a school was established at Nottley, about ten miles away, with an enrollment of fifteen. A licensed minister, a Mr. Morrison from Tennessee, had been obtained as a teacher and had been appointed to conduct religious services there on the Sabbath. As a result of the preaching and teaching of Morrison, the Cherokees contributed a large part of the provisions for the supply of the Morrison family and had furnished the school-house.²⁴ Morrison's salary was paid by the board.

In this same year at a meeting of the Baptist Board of Foreign Missions the Reverend Iveson Brooks, a minister of the French Broad Association, was instructed to visit the Baptist stations among the Cherokee Indians. The missionaries were requested to pay less attention, as far as practicable, to the secular work which had been necessary in the early days of the mission, so that they could devote more time to the work of making converts among the Cherokees.²⁵

In a short sketch of the mission school covering the period from September, 1827, to December, 1829, written as a report to the Baptist Board of Foreign Missions, some very interesting results are given. Many of the Cherokee students had obtained a very good knowledge of reading, writing, and arithmetic. The girls had learn-

²⁴Peck, *op. cit.*, 393; *American Baptist Magazine*, IX (1829), 197-98.

²⁵Peck, *op. cit.*, 393.

ed to use the needle and to perform other household arts; one of them had even learned to spin and weave. Eliza Grew, a Cherokee girl, had learned to cast accounts and make any ordinary garment. Some of the students also showed marked evidence of piety.²⁶ As an interesting example of how the mission work was carried on, there can be cited the example of a Cherokee who was afterwards named John Wickliffe. In July, 1833, he heard a sermon preached by Evan Jones on the sufferings of the Savior. Kanceda, as he was called in Cherokee, then began to dislike the company of the intemperate and profane. For several months he was distressed about his own condition. The following February he carried home a little book which contained hymns and several chapters of the Bible in Cherokee. He and his wife gave an account of their experience in Cherokee to the church at Hiwassee and were admitted to membership. John Wickliffe, as he came to be called, was then employed as an assistant missionary with the approval of the board. He seems to have been a man of good understanding who possessed the confidence of the Cherokees.

At this time the Reverend S. A. Worcester, a missionary of the American Board of Commissioners for Foreign Missions completed the translation of the Gospel of Matthew into the Cherokee language, which was printed at the expense of the American Board. The Cherokees became greatly interested in the subject of religion and received even a small part of the Scripture with eagerness. A society was formed in the neighborhood of the station, which included the mission family and several of the Cherokees, in order that books might be bought and distributed. Christian friends of the Cherokees in Kentucky provided sufficient funds to buy two hundred Cherokee hymn books. The Cherokees were gratified because they enjoyed singing.²⁷ The missionaries wisely used the singing of hymns in the winning of the Indians.

Great interest was manifested in the autumn of 1829 by the Cherokees. Members were added to the church. Children, parents, and grandparents were converted. Thirty-seven Indians were added to the Valley Towns church in this year. On account of unsettled conditions because of the relations with the United States government a feeling of general apprehension prevailed. This time of adversity increased their interest in spiritual matters, however. John Tinson expressed a desire to preach the Gospel and acted as

²⁶*Ibid.*, 393-394.

²⁷*Ibid.*, 493.

interpreter for Evan Jones. In 1831 the missionaries of all the denominations held a meeting at New Echota to discuss the relations between the Indians and the United States.²⁸ Stimulated by these conditions, the boarding school had averaged more than twenty pupils. It had received unfailing attention from Mrs. Evan Jones with occasional assistance from Mr. Jones and their daughter. Another school had been established at Gatugidsee by the Indians, which was visited by Jones.²⁹

In 1829 the busy and resourceful missionary Evan Jones was not only encouraging the work of the schools but he was also mastering the Cherokee language and carrying on evangelistic work. He did not confine himself to the Valley Towns station. He was preaching at Nottley, Gatugidsee, and Gunnee, or Long-Bullet. His preaching attracted attentive listeners. Two were baptized and others showed "a spirit of solemn inquiry."³⁰

The work at Valley Towns continued to prosper.³¹ In the summer of 1831, there were seventy-eight who professed Christianity. Reënforcements were sent out to the Valley Towns Mission in 1832 as follows: Leonard Butterfield, Mrs. Butterfield, and Miss Sarah Rayner. There were also five native assistants with 208 students in the school; sixteen new pupils had been added during the year.³² For several years there was progress in the work of the Baptist missionaries. The Cherokees organized temperance societies. Family worship was maintained in their homes. On Sunday they attended worship. Whenever professions of faith were made, the converted Indians were led down to the beautiful Hiwassee River, or some other convenient stream, for the ordinance of baptism. Nearby towering mountains added to the solemnity of the scene. The earnest natives would join in soul-stirring hymns in their own Cherokee tongue. From time to time they partook of the ordinance of the Lord's Supper.

The Christian Cherokees were faithful in their endeavor to spread a knowledge of the Christian religion among the other Indians liv-

²⁸*Ibid.*, 404-495.

²⁹*American Baptist Magazine*, IX (1829), 197-98.

³⁰*Ibid.*, 198.

³¹In his report for the year ending October 1, 1830, Jones gave the following facts regarding the school at Valley Towns: 3 teachers; 20 pupils; 4 new pupils had entered and 4 had finished; the property was valued at about \$4,000.00; \$671 had been received and the same amount had been disbursed. O.I.A., Letters Received, 1830, The National Archives.

³²Baptist Mission Transcripts, 3; *Missionary Herald*, XXXI (Boston, 1834), 76.

ing among them. Jesse Bushyhead stands out as one of these.³³ He united with a Baptist church in Tennessee after reading the Bible independently. A church was organized in his neighborhood in 1830 or 1831. A product of the Candy Creek Mission School, he was well prepared to take up missionary work when, shortly afterward, he was licensed to preach. In 1835 he led in the organization of the Amohee Baptist Church on the Ocoee River about three miles from its juncture with the Hiwassee River in East Tennessee.³⁴ Nearby, Jesse Bushyhead and Evan Jones, these two men of God, performed the baptismal ordinance in the peaceful waters of the beautiful Ocoee. They may be pictured as they traveled along the Hiwassee from East Tennessee into the mountains of North Carolina to Valley Towns.

During the trying years of the removal agitation the faithful missionaries continued their missionary endeavor. A climax seems to have been reached in 1837 when they could report to the Baptist Board that there were two organized Baptist churches among the Eastern Cherokees, at Valley Towns in North Carolina and at Amohee in Tennessee. There were also forty-one preaching places in the three states of Tennessee, North Carolina, and Georgia to serve their spiritual needs.³⁵

Finally came the terrible ordeal of removal to their home in the West.³⁶ Two of the detachments were under the leadership of the Cherokee Baptist leaders, Evan Jones and Jesse Bushyhead. During this period (1838-1839) regular worship was conducted in the camps when night fell. With quiet dignity and Christian fortitude the faithful Cherokee Christians gathered around their camp fires to hear words of encouragement and to sing their hymns. The two Baptist churches, Valley Towns and Amohee, moved along with their members.³⁷

³³See Cherokee Census, 1835, 27, number 353 A, Indian Archives, Oklahoma Historical Society, Oklahoma City, Okla.

³⁴See E. C. Routh, "Early Missionaries among the Cherokees," in *Chronicles of Oklahoma*, XV (Oklahoma City, 1937), 452; George F. Mellen, "Amohee Cherokee Church," a clipping in a scrapbook belonging to J. M. Wooten, Cleveland, Tenn.; Mrs. John L. Brewer, "Historic Spots in Tennessee not Generally Known about," *ibid.*; J. M. Wooten, *History of Bradley County, Tennessee* (unpublished).

³⁵*Baptist Missionary Magazine*, XVII (1837), 203.

³⁶Grant Foreman, *Indian Removal* (Norman, Okla., 1932), *passim*; E. E. Dale and Gaston Litton, *Cherokee Cavaliers* (Norman, Okla., 1939), 14-15.

³⁷Walter N. Wyeth, *Poor Lo: Early Indian Missions: A Memorial* (Philadelphia, 1896), 47-48.

The emigrating Cherokees gathered at Rattlesnake Spring near the present Hiwassee River, close to the modern town of Charleston, Tennessee.³⁸ Two of the missionaries, Jesse Bushyhead and Stephen Foreman, were allowed to conduct services and to baptize converts in the Hiwassee River. Though not a Baptist, Foreman was ready to baptize by immersion those who desired this mode. He was a very devoted missionary under the appointment of the American Board of Commissioners for Foreign Missions.³⁹

Those splendid missionaries, Evan Jones, Stephen Foreman, and Jesse Bushyhead, led their people along the weary way through Tennessee, Kentucky, Illinois, Missouri, and Arkansas, into Oklahoma,⁴⁰ ministering to their spiritual needs as best they could. Their religious scruples forbade their traveling on the Sabbath Day. These Christian Cherokees greatly impressed the white observers by their quiet religious faith.

After the arrival of the Cherokees in the new country, plans needed to be made for the continuation of the Baptist work. The location of the two Baptist churches which had continued their organization during the trying ordeal of removal, Amohee and Valley Towns, presented a problem. Evan Jones and Jesse Bushyhead were anxious to locate them in strategic points. In the meantime, as far as possible, the Baptist Cherokees tried to keep together. Temporary meeting places were established for divine worship. During the process of settling, many Cherokees needed to stay near the government depots where they could secure their rations and where their detachments had been disbanded.⁴¹ Eventually the members of the Valley Towns Church and the Amohee Church were gathered together again and services were resumed.

It seems remarkable that these two organizations should have survived the vicissitudes of removal. The Amohee Church, after its removal to the West, was located at Flint, which seems to have been near the present town of Stilwell, Oklahoma.⁴² This church continued to enjoy the ministry of Bushyhead, who was assisted by

³⁸John P. Brown, *Old Frontiers* (Kingsport, Tenn., 1938), 513.

³⁹It is probable that he was responsible for the conversion of the Reverend Jesse Bushyhead. This remarkable Cherokee Baptist missionary was a nephew of Foreman.

⁴⁰See George W. Smith, *The Cherokee Trail of Tears* (unpublished article in possession of the author, Carbondale, Ill.), 6-9.

⁴¹Peck, *op. cit.*, 507.

⁴²Grant Foreman, ed., "Notes of a Missionary among the Cherokees," *The Chronicles of Oklahoma*, XVI (1938), 171; Routh, *op. cit.*, 452.

Lewis Downing, another native preacher.⁴³ The Valley Towns Church was located at Delaware Town, forty miles northwest of Cherokee.⁴⁴ In their new environment in the West the Cherokee Indian continued to depend upon their old churches and their beloved ministers for spiritual guidance; consequently, the work of the Baptist missionaries continued as a constructive, civilizing force.

⁴³*Baptist Missionary Magazine*, XXII (1842), 151. See John Bartlett Meserve, "Chief Lewis Downing and Chief Charles Thompson (Oochalata)," *The Chronicles of Oklahoma*, XVI (1938), 315 ff.

⁴⁴Cherokee was described as being "three miles west from the middle of the east line of the Territory." It was variously called Cherokee, Cherokee Baptist Mission, Baptist Mission, or Baptist.

BRIGADIER-GENERAL NATHANIEL TAYLOR

By Samuel C. Williams

Nathaniel Taylor was born on Mill Creek near Lexington in Rockbridge county, Virginia, February 4, 1771, son of Andrew and Ann (Wilson) Taylor. His grandfathers were Isaac Taylor and John Wilson, who had settled in that neighborhood when it was still (about 1740) a part of Augusta county. According to F. B. Kegley, in his *Virginia Frontier* (p. 601), "Isaac Taylor, Sr., was one of the first settlers in Borden's Great Tract of James River, [and] is listed in Capt. John Buchanan's Company 1742. His land and early home place was on Mill Creek of North River a few miles above present Lexington. . . . From 1762 to 1765 he conveyed to his sons, George, Isaac, Jr.,¹ Andrew and William parcels of land from his holdings." Notwithstanding, at his death his estate was appraised at 6,893 pounds sterling—a large estate for the time and place.

Andrew Taylor was born in the county of Armagh in the northern, or Protestant, section of Ireland about 1733, before his parents had emigrated to America.² After coming to this country he married his cousin, Elizabeth Wilson, by whom he had four children, Isaac, Matthew, Andrew and Elizabeth. Following the death of his first wife he married in 1770 her sister, Ann Wilson. Nathaniel Taylor was the first child and only son of this marriage, which resulted, however, in two daughters, Rebecca and Rhoda.

In July, 1778, Andrew Taylor sold his farm in Rockbridge county, and joining in a decided trend toward migration to the Tennessee country, at once moved to the Watauga settlement, purchased land and located near the mouth of Buffalo Creek, a branch of the Watauga. He was a member of the State of Franklin legislature. He died in the fall of 1787.

It is not known what educational advantages Nathaniel had; it is surmised by the writer that he was tutored by his clerkly uncle, Isaac, or by Matthew Talbot, Jr., both of whom were surveyors, and

¹This Isaac Taylor, II, like his brother Andrew, also removed to the Watauga settlement. He was a surveyor, and was clerk of the lower house of the State of Franklin legislature of 1786, and a supporter of Gov. John Sevier. Another Isaac Taylor, half-brother of Nathaniel Taylor, served in the Revolution and was in the battle of King's Mountain, along with his brother, Andrew, Jr. He was forebear of the Taylors who settled near the site of Milligan College.

²From another branch of the family descended the great missionary bishop, William Taylor, of the Methodist Church, and, according to the family tradition, President Zachary Taylor.

then sent for further instruction to Rev. Samuel Doak's Martin Academy.

Early marriages were the custom and, before reaching legal age, Nathaniel set out for the Valley of Virginia for a wife. On November 15, 1791, he married Mary Patton, who rode to the Watauga on a pony bought and taken to Virginia by Nathaniel for her. The young couple settled on a part of the Andrew Taylor estates and began life in earnest.

AS A YOUTHFUL SOLDIER

The first experience of Nathaniel Taylor as a soldier was in 1793, when as a captain of militia at the age of twenty-two years he ranged on the Nolachucky River (in the present county of Unicoi) against the Indians. J. G. M. Ramsey³ in his treatment of the early settlement of Greasy Cove, says:

But higher up above this, on Indian Creek,⁴ Mr. Wm. Lewis, his wife and seven children, were killed by the Indians, and his house was burned. One of the sons escaped, and a daughter was taken prisoner and was afterwards ransomed for a gun. The Indians were pursued by a company of troops commanded by Nathaniel Taylor, but were not overtaken till they, crossing French Broad River, reached the inaccessible retreats beyond it.

From the Knoxville *Gazette*⁵ it appears that this red raid was early in October, 1793, and that the home of Sebastian Holley on the Nolachucky, fifteen miles from Jonesborough, had been previously attacked, his wife wounded and scalped, and his young daughter's head cut off. Like barbarities were perpetrated in Greene county.⁶

Apparently Captain Taylor and his mounted company after chasing the foraying Indians to the French Broad, deflected to the west and speeded on to join General Sevier's forces which were destined for north Georgia against the Indians. The almost continuous perpetration of outrages such as these throughout the settled portions of East Tennessee forced on the white leaders the determination that war against the Cherokees was unavoidable. In the absence of Governor William Blount, the acting-governor, Secretary Daniel

³*Annals of Tennessee* (Charleston, 1853), 182. The reader would gather that Ramsey refers this incident to a much earlier date, 1779. But Nathaniel Taylor was only eight years old in that year.

⁴Followed by federal highway 23, from Johnson City to Asheville, N. C.

⁵Nov. 23, 1793.

⁶*Ibid.*, Sept. 14, 1793.

Smith, authorized such a campaign under General John Sevier. This was known as the Etowah (Hightower) expedition, the last conducted by General Sevier. Captain Taylor was in service,⁷ in the Washington county regiment under the command of Colonel John Blair. The present county of Carter was yet a part of Washington county.

On October 4, 1796, Taylor was commissioned first major in the Carter county regiment of militia. By 1803 he had been advanced to the rank of colonel.

CIVIL CAREER

Governor William Blount of the Southwest Territory, on November 21, 1793, appointed Taylor a justice of the peace for Washington county. When the first General Assembly of Tennessee (1796) established the county of Carter, cut from the eastern part of Washington, Taylor was chosen its first sheriff—an office then held in high esteem. On April 22 of the same year he was honored by being named by the General Assembly first in commission as justice of the peace for the new county. After him were named such leaders as Landon Carter and Andrew Greer.⁸ In 1796 he was one of the commissioners named to lay off the county seat, "Elizabeth," later changed to Elizabethton.

In 1803 Taylor succeeded Colonel John Tipton as a member of the state Senate, evidently defeating Tipton in a race for re-election. The senatorial district was composed of the counties of Washington and Carter. Taylor joined his associates in a communication to Judge Andrew Jackson urging him not to resign from the bench.⁹ Taylor was a trustee of Duffield Academy in Elizabethton on its incorporation in 1806.

In 1809 Taylor was a representative in the legislature from Carter county. A political career seems to have had little appeal to him, however, and he retired from that field, manifestly in order to give closer attention to his private fortunes then fast coming to flood tide,¹⁰ and to a military career.

⁷*Ibid.*, May, 1794, pay roll.

⁸*Tennessee House Journal*, 1796, p. 45.

⁹"We hope [that] at this momentous crisis, when Party is raging in a most extraordinary manner, you will not retire from the service of your country, and leave them to struggle with the loss, etc." The letter was dated Knoxville, Oct. 5, 1803. J. S. Bassett (ed.), *Correspondence of Andrew Jackson* (Washington, 1926-35), I, 72.

¹⁰A tendency to a political career marked, in a signal way, the older son of General Taylor, James Patton Taylor, and his descendants. The contrary was true of his younger son, Alfred W., and his descendants.

DOHERTY'S CAMPAIGN TOWARD NEW ORLEANS (1803).

When the United States early in 1803 purchased the Louisiana Territory from Napoleon, Spain was yet in possession of New Orleans and the remainder of the territory and claimed that France had no right to make the sale, as in the retrocession then but recently made by Spain to France there was a stipulation against such a transfer to the United States. President Jefferson feared that Spain would not surrender New Orleans unless compelled to do so by force. He sent a message to Governor Sevier directing that five hundred mounted infantry be raised in Tennessee with all possible expedition to march to Natchez and cooperate, if necessary, in forcing a surrender of the coveted city. This requisition for troops reached Knoxville early in November. A Knoxville newspaper of November 14¹¹ announced that the command of the force would be assigned to Colonel George Doherty of Jefferson county. How many men of Colonel Taylor's regiment actually left for Natchez is not ascertainable, since no muster rolls were kept. But Major-General Andrew Jackson discouraged enlistment in Middle Tennessee, incensed as he was¹² that to Governor Sevier had been assigned by President Jefferson the appointment of the officers. The result was that more men had to volunteer from East Tennessee; and it is almost certain that not a few of the lovers of adventure in the militia of Colonel Taylor's counties went south under Colonel Doherty. We know that some did.¹³

This command on reaching Natchez learned that the Spanish authorities at New Orleans had already voluntarily turned over the city to the representatives of the United States. Nothing was left for the Tennesseans but to march back home.¹⁴ There they were received with acclaim, not for what they had accomplished but for what they stood ready to do.

President Jefferson had asked that, in addition to this first contingent of 500 men, "a force of some thousands be also in readiness

¹¹Newspaper clipping in Draper Collection (Wisconsin Historical Society, Madison, Wis.), 26CC74.

¹²The breach between Sevier and Jackson was at the time at its height. The latter showed to poor advantage in the affair of the Natchez expedition. Nevertheless, the competent historian, J. S. Bassett, erroneously says, in writing of the expedition of 1803, that General Jackson received a call to service, and that "his response was decided and was seconded by the enthusiastic support of the militia under his command." *Life of Andrew Jackson* (New York, 1916), I, 76.

¹³Among them George W. Sevier, son of the governor. The gallant Captain Gilbert Christian Russell led a company to Natchez. To Captain Russell's company fell the honor of participating in receiving from the Spaniards on January 12, 1804 "Post Concord" in the Natchez district.

¹⁴For details of the expedition see S. C. Williams, "Tennessee's First Military Expedition," in *Tennessee Historical Magazine*, VIII (Nashville, 1924), 171-90.

to march, if necessary, by the first of December."¹⁵ Governor Sevier promptly turned to the naming of the officers and regiments to man the second contingent. He chose from East Tennessee Brigadier-General James White of Knoxville, and under him Colonels Nathaniel Taylor of the first regiment and Joseph McMinn of the second regiment. It may easily be imagined what activity set in throughout Upper East Tennessee in preparation for an expedition: shoeing of horses, repair of wagons and guns and the holding of musters. A draft of the militia was put in effect under the militia laws of the state. The imposition of the draft harrowed the Quaker soul of Thomas Embree of Washington county, who addressed a protest to President Jefferson.¹⁶

The surrender of Louisiana Territory by the Spanish authorities ended warlike preparations in Tennessee. The general willingness of Tennesseans to protect the interests of the nation in this period has gone without recognition on the part of Tennessee historians.

The year following (1804) Taylor was raised to the rank of a brigadier-general, in command of the First Brigade. He won out in a contest with Col. John Tipton, a near neighbor. The irascible Tipton at once wrote to Governor Sevier, at Knoxville, notifying him that he would contest the election of Taylor on the grounds of illegality.¹⁷ The post was an elective one, the electors being the higher regimental officers.

In 1811 the Tennessee militia was divided into two divisions: the First Division (East Tennessee) was under the command of Major-General John Cocke, and the Second Division (Middle Tennessee) was commanded by General Andrew Jackson. In the First Division there were four brigadiers in command of brigades: Nathaniel Taylor, George Doherty, James White and Thomas Coulter. General Nathaniel Taylor's First Brigade was composed of the regiments of five counties of Upper East Tennessee; the First Regiment from the mother county of Washington, Samuel Bailess, colonel;

¹⁵*Ibid.*, 180.

¹⁶This letter is in the Jefferson Papers (Manuscripts Division, Library of Congress).

¹⁷From Jonesborough, June 28, 1804. Draper Collection, 1DD152, *Calendar of King's Mountain Papers*, 225. When he had time to cool off Tipton appears to have abandoned the contest. If not, he suffered a defeat that added to the sting already felt. As between the two rivals, Sevier and Tipton, Taylor, as had his father, preferred Sevier. The Taylor-Carter connection gave that alliance an added incentive. It may not be doubted that the combined influence of the Carters and Sevier was behind Taylor. See in this connection S. C. Williams, *History of the Lost State of Franklin* (New York, 2nd. ed., 1933), 299-301.

Second Regiment from Sullivan county, William Snodgrass, colonel; Third Regiment from Greene county, Erwin Allison, colonel; Fourth Regiment from Hawkins county, Absolom Looney, colonel; and the Fifth Regiment from Carter county, Christian Carriger, colonel.¹⁸

ACTIVITIES IN PRIVATE LIFE

From 1800 to 1814 General Taylor was immersed in business affairs, and succeeded in building up a large estate. His investments were for the most part in land, and his was a far reach for choice holdings. They extended as far south as Grainger and Bledsoe counties, north into southwest Virginia and west as far as the Mississippi River. Grants issued to him, in possession of decendants, covered tracts of land in Shelby county and on the Hatchie and Loosahatchie rivers in West Tennessee.¹⁹

Among his many holdings was a tract of 62,000 acres, under a Virginia grant issued in 1796, in which the General was a tenant-in-common with another. This tract covered all the plants of the Stonega Coal & Coke Company, of recent times, a large part of the rich St. Charles coal field, and a part of the corporation of the city of Big Stone Gap. Seventy years ago that territory was an almost unbroken forest of virgin timber. Without railroads, or county roads of any importance, the traveler could make his way over much of the land only on foot or horseback. About the year 1890 a long legal battle was fought over the title to a large part of that land, which contest was finally settled in the United State Supreme Court.

The General also owned iron lands on Roan Creek in Johnson county,²⁰ where he erected and operated iron-making works. It is said that he made this investment as joint owner with General Landon Carter. Iron products were shipped by boats down the rivers to market. He owned, also, many slaves. His books of account show that for one gang of slaves he paid \$12,000; these were imported from Africa to the port of Charleston, South Carolina.²¹ Slaves were needed to work on his plantations and in his iron works. A

¹⁸T. G. Bradford, *The Military Instructor* (Nashville, 1812), 70; reprinted in *Tenn. Hist. Mag.*, VIII, 215-19.

¹⁹Such were evidently selected and surveyed by the son-in-law of the General, Jacob Tipton, who was a surveyor and, after 1825, a brigadier-general in Tipton county. It is probable that these West Tennessee lands were allotted to Mrs. Tipton in the settlement of the estate of General Taylor.

²⁰Later (about 1892-95) developed on a large scale by a private corporation.

²¹Manifestly just in time to avoid the penalties fixed by the act of Congress of 1807 which prohibited the importation of slaves after January 1, 1808. Among these slaves was Sola, son of an African chieftain, concerning whom Alf A. Taylor had many stories to tell; to that raconteur Sola was an "African prince."

near and long-time neighbor of the Taylor family says that General Taylor's wife "was entitled to much credit for the success her husband achieved." No little of the qualities of her kinsman, Colonel James Patton²²—vision and forcefulness—was possessed by her. Colonel Patton from his county of Augusta in the 1750's had reached southward and acquired large grants of lands in the Tennessee country; and a half century later the Taylors were reversing and reaching northward into southwest Virginia for yet larger holdings of valuable mineral and timber lands.

Like other prominent men of the region,²³ Taylor engaged in dealing in lands jointly with some associate. One of these was Colonel Robert Love, I,²⁴ of Tennessee and North Carolina. In the papers of President Madison²⁵ is found a memorial lodged with the President, signed by James Knox, recently of Knoxville, but dated from Giles county, Tennessee, February 24, 1812, in which complaint was made that Love and Taylor were wrongfully "surveying lands bordering the States of Tennessee and North Carolina."

OPERATIONS UNDER GENERAL JACKSON IN 1814-1815

After the conquest of the Creek Indians, the Secretary of War in July, 1814, called for 2,500 Tennessee militia to march south and man the forts in the recently conquered territory. September 20 was named as the date for their assembling. Promptly on receipt of a call from Governor Willie Blount of Tennessee, Brigadier-General Taylor began, August, 1814, to lay plans to embody a mounted force of 1,000 of his First Tennessee militia brigade; and shortly proceeded to Knoxville. There he met Colonel John Williams of the 39th U. S. Regulars, who was at home endeavoring to recruit men for his own regiment. Colonel Williams had 1,000 stands of arms and other necessary military equipment. General Taylor, when he turned up at Knoxville, needed 500 muskets for one half of his force. Colonel Williams had met with indifferent success in recruiting, and more than the needed 500 arms could well be spared to Taylor, who at first

²²For accounts of this remarkable man, see S. C. Williams, *Dawn of Tennessee Valley and Tennessee History* (Johnson City, 1938), *passim*.

²³Such as John Carter, James Robertson and John Sevier.

²⁴The name reappears in that of Governor Robert Love Taylor. After Colonel Love's removal to North Carolina he had a noteworthy career. He was founder of the town of Waynesville.

²⁵*Calendar of the Correspondence of James Madison*, Bureau of Rolls and Library of the Department of State, *Bulletin* No. 4 (Washington, D. C., 1894), 446. See in this connection S. C. Williams, "The Tennessee-North Carolina Boundary Line Survey of 1799," in *Tenn. Hist. Mag.*, VI (1920), 55.

requested them, only to meet with a curt refusal. Taylor's request was accompanied by an offer of proper receipts. Next came from Taylor a peremptory demand for the much needed arms. Williams countered with this reply:

Sir: By your order of this date, you require me to deliver into the hands of the militia the muskets which have been furnished for my regiment. You have been already informed that it is not in my power to part from the arms in my possession. I am under the necessity of refusing positively a compliance with your order. I deem it unnecessary at this time to investigate your authority to give me an order. I have the honor to be with great respect. . .²⁶

General Taylor was compelled to march to the Alabama country with his command inadequately equipped; but before doing so he reported under date of September 28, 1814, the facts to General Jackson, who was now major-general of the regular army and was thus the superior of both Williams and Taylor. Letters moved slowly, and it was not until October 17 that General Jackson wrote a biting criticism of Colonel Williams for his part in this affair. Williams, from Knoxville on November 1, replied, trying to excuse his conduct:

Sir: . . . Your letter of the 17th ulto. excites both regret and astonishment. Regret at having incurred the displeasure of my commanding General—And astonishment at the position assumed in that letter. Had you been acquainted with all the circumstances attending the transaction, I feel confident you would not have considered me, meriting, such a harsh reprimand. I was apprised that a communication had been made to you from Knoxville, by Genl. Taylor. But supposing, that it would be understood by you, and that it would be treated as it deser[v]ed; I was perfectly silent on the subject. It is the opinion of every military man that I have conversed with, that situated as General Taylor and myself were, he had no authority to give me an order. I admit when a Militia Genl. and a United States colonel are associated in the same service, by the order of their superiors; that then the former has a right to command, and the latter is bound to obey. Genl. Taylor was on one description of service, and myself on another. General Taylor had the same power to demand of me, the military clothing, in my possession, for the use of his troops; as he had to demand my arms. And I should have been as criminal in delivering up the one, as the other. In either case, I should have been accountable to the Government, and bound to have paid the amount, out of my private funds. A system of accountability has been established, And nothing but the order of a legitimate superior would justify me in disposing of the public stores in my possession; in a manner different from the one intended. I am assured that Genl. Taylors correspondence with me, was not commenced, with an expectation of promoting the public service. I

²⁶Bassett, *Correspondence of Andrew Jackson*, II, 88, n.

entered the army with no other view than to perform honorable service to my country. Altho the unwearied and unceasing exertions of myself and others on the recruiting service, has not been crowned with much success, during the season, It is not owing to causes over which I have any control. No person on earth more than myself regrets the ill success of the recruiting officers. I agree with you that this is not a time to investigate nice military questions of rank. From the many proofs which I have given of the truth and importance of this remark (within your own observation) I did not expect to be reminded of its necessity. I yield to no man in a disposition to promote the service of my country. And it would afford me infinite satisfaction to deliver over all the public stores in my possession to promote the service, if I had a legal order to that effect. But I never will involve myself in ruin by squandering the public stores confined to my care. And I will resist every attempt to make me responsible for others faults. I am always ready and willing to have every act, both of my civil, and military life, envestigated. In the exercise of your discretion you seem to think these are sufficient grounds for my arrest. I shall therefore hold myself in readiness to receive your order of arrest, And to repair without delay to such place as may be appointed for my trial.²⁷

General Jackson was too busily engaged on the Gulf coast with the threatening British to order such an arrest and trial as Williams invited.²⁸ Events had moved fast in the farther South. Every available man, and he equipped as well as possible, was sorely needed at two points, Mobile and New Orleans. Leaving these aside for the present, we follow General Taylor and his command through the wilderness towards the scene of action.²⁹

On September 30 he was at Kingston on the Tennessee where he received a communication (Oct. 2) from the adjutant-general of Tennessee, Andrew Hynes, saying that General Jackson was "urging the

²⁷*Ibid.*, II, 88.

²⁸Here was opened a breach between Jackson and Williams that so widened as to be disastrous to the political fortunes of Williams. Perhaps, except for the ruptures between Jackson and Sevier and between Jackson and Hugh Lawson White, it was the most fateful breach between two men in the history of Tennessee. Williams, previous to this dispute with Taylor, had stood high in the regard of Jackson. Indeed, only a few days before the occurrence in Knoxville, Jackson had written from Mobile (Aug. 28) to Colonel Robert Butler, then temporarily at Nashville: "Colo John Williams of the 39th would be of great benefit to me. I have enclosed an open note for your perusal, and wish you to enclose it to him with any further remarks." *Ibid.*, II, 35. It may not be doubted that the conduct of Williams at Knoxville would have been different had he known of what was, in fact, brewing on the Gulf coast.

²⁹Major Howell Tatum, of Nashville, as topographical engineer of the 7th military district, kept a journal of the campaign in the South, which was edited by John Spencer Bassett and printed in the *Smith College Studies in History*, VII (Northhampton, 1922). On p. 52 this entry appears: "About this time (late in August) the General was advised that the Tennessee requisition of two regiments and one battalion of militia had been ordered into service ... ready to march under the command of Brigadier General Taylor."

hastening on of the Tennessee troops to his assistance as soon as possible. I hope you will use every effort to get forward the detachment under your command to such place as he will direct its march."³⁰

The difficulties that attended a march of a military force in an unsettled region, such as Alabama of 1814-15, were appalling. The Creek War had but recently swept over the land, and food supplies and feed for horses were scarce. Roads were either non-existent or wretched. Before leaving the Tennessee Valley (in northern Alabama) a council of General Taylor's staff officers was held to consider the breakdown in the commissary department of the army. The following communication gives the conclusions reached:³¹

Camp Duffield,
13th October, 1814.

Brigr. Genl. N. Taylor, Sir:—Your order of the 12th inst. for the army to march this morning at 8 o'clock we fear, sir, was issued under the impression that provisions for the army could be obtained on our march to Fort Jackson, but in the report of Maj. Spoor, who is just from Fort Strother, this appears not to be the fact. Provisions are not to be had at Fort Williams or the probability of any at Fort Jackson. Considering these circumstances we humbly represent that we think it highly imprudent to march an army with only nine days provisions for a distance of two hundred and forty miles through a country where nothing can be had for its supply, and beg that you would devise means for subsistence before we leave the place where it can be had.

And we also humbly represent that we think it would be best to remain at this place a few days until wagons can be procured for the transportation of a sufficient quantity of rations to support us to Fort Jackson. We are willing, however, to submit to any order that you may think proper to dictate.

Respectfully yours, etc.,
C. T. Spoor, In. At.
George Duffield, A.D.C.
John Russell, B.M.
John Anderson, In Colo.
Samuel C. Magee, Major,
Thomas J. Van Dyke, R. Surgeon.

In November the East Tennesseans were farther south at "Camp Misery"—a name descriptive of conditions that confronted them. On

³⁰Nathaniel Taylor Papers (in Tennessee Historical Society's Collection at Nashville).

³¹*Ibid.* Camp Duffield was named in honor of Taylor's aide-de-camp, Major George Duffield, a favorite of General Taylor. As to him, see *infra*, note 37. From "Tatum's Journal" (*loc. cit.*, 68): "30th. On the morning of this day, the first regiment of West Tennessee, drafted, Militia (part of Genl. Taylors Brigade) arrived and encamped near Fort Pearce, supposed to contain near 1,000 men, officers included."

the 14th from that camp an order went forward to the contractor's agent at Fort Claiborne.³² "Without the least delay forward on to meet the Tennessee troops on their line of march, fifteen hundred complete rations and three barrels of whiskey for the hospital department."³³

General Jackson was disposed to criticise General Taylor for the slowness of the progress of the East Tennessee troops towards Mobile. However, any one acquainted with Jackson's record will recall how his own complaints reached high heaven when troops under his immediate care were deprived of rations or transportation facilities by a breakdown in the commissary department of the service. Jackson's health at this time was wretched and in consequence he was querulous.

On November 9 General Taylor was at Fort Jackson, one half of his troops yet without muskets or guns of any description. About the middle of the month he was in Mobile. Until the arrival of senior Brigadier-General James Winchester, who was on his way to Mobile from his home in Tennessee, the command of all militia at Mobile was given by General Jackson to General Taylor,³⁴ the regulars to be commanded by an officer of the United States army, Lieutenant-Colonel Arbuckle of the 3rd Regiment.

Jackson was almost obsessed by an anticipation that the British would attack Mobile, and not New Orleans, and afterwards march across the country to the Mississippi River at Natchez or at the Walnut Hills (Vicksburg), embodying Choctaw Indians as auxiliaries as they marched westward. That, doubtless, would have been Jackson's own strategy had he been in command of the British force. He, of course, could not know that the plan of the invaders was to strike directly at New Orleans. Thus thinking, Jackson left a considerable

³²In mid-November General Jackson learned of the arrival on an earlier date of General Taylor's command at Ft. Claiborne on the Alabama River, and that "Major Childs from East Tennessee, with about 500 volunteer Gun-Men, mounted, had also arrived at the same place, in order to join General Coffee's Brigade." "Tatum's Journal," *loc. cit.*, 85.

³³Taylor Papers. John McKee (later a member of Congress from Alabama) was contractor to the troops. The captains joined in a communication to General Taylor, complaining that McKee was withholding rations. "Your petitioners are of the opinion that the contractor has it in his own power to either give us for rations what he may be pleased in money, not giving your petitioners any say in the price whatever." (Signed) James Tunnell, Benj. Powell, James Stewart, Andrew Lawson, Alex Millikan and Joseph Scott, captains. *Ibid.*

³⁴See "Tatum's Journal" (p. 86): "14th [Nov.] The command of Fort Montgomery [Mobile] was therefore allotted to General Taylor, on his arrival, with his own Brigade and, perhaps, some other forces." This was before Taylor's actual arrival at Mobile. The order of General Jackson assigning the command followed his arrival.

bodies of regulars and militia at Mobile, which place he left on November 22 for New Orleans. General Taylor's brigade, therefore, took no part in the battle and signal victory over Sir Edward Packenham on January 8, 1815.

Following the battle of New Orleans the British felt that they could not leave the Gulf of Mexico without retrieving in some measure, thus assuaging the sting of defeat. Their naval force was almost as strong as it had been on January 1. Waiting for and receiving a re-enforcement of a thousand fresh soldiers, General Lambert determined to attack Fort Bowyer on Mobile Point. At daylight on the morning of February 8 a whole brigade and a heavy battering-train were disembarked in the rear of that fort which was located across the bay from Mobile, where lay the American forces under General Winchester. The British land brigade was supported by about 450 artillerymen, sappers and miners, and marines. They began parallels, sieged sand mounds, and constructed batteries which cannon-fire from the fort could not destroy. On the morning of the 11th their howitzers and other guns were trained on the fort. Not until the 10th did General Winchester send out land forces to cross the bay to aid the garrison of Fort Bowyer. On the 12th the commander of the fort received a demand for its surrender to which, after a council of his officers, he felt obliged to yield. While the British lost twenty-one in killed and wounded, against the American loss of eleven, the capture of the fort was inevitable and comparatively easy. General Winchester in reporting to the Secretary of War said:

It becomes my duty to communicate to you the unpleasant news of the loss of Fort Bowyer. It was completely invested by land as well as water, on the 8th inst. On the 10th and 11th I passed a detachment over the bay with a view to divert the enemy from his object; but it arrived twenty-four hours too late. . . . The besiegers had advanced their works on the land side to within certain musket shot of the fort. . . . About thirty of the enemy's vessels, besides boats and barges, are lying within the bar and above Mobile Point, and several ships of the line on the south. . . . I expect the honour of seeing them here every night; if I do, I have great confidence my next will be on a pleasanter subject.³⁵

General Jackson was keenly disappointed over the surrender of Fort Bowyer, and he at once began to formulate plans to retake it. However, on February 21 he received from the British Admiral Cochrane a copy of a bulletin received from Jamaica announcing that a peace treaty had been signed at Ghent on December 24. The

³⁵A. L. Latour, *Historical Memoir* (Philadelphia, 1816), Appendix, 39.

British forces continued to hover around the Isle of Dauphin, and Jackson could only await official confirmation of the news of peace having been declared. It was not until March 21 that General Jackson in an address to the troops authorized their march homeward: "Go then to your homes, to those tender connexions and those blissful scenes which render life so dear—go, full of honor. . . ." ³⁶ The troops of General Taylor had, however, taken up the toilsome march on the 20th and were received in East Tennessee with an acclaim that must have warmed their hearts.

The muster roll (of March 20) of the staff of General Taylor is preserved in the rooms of the Tennessee Historical Society, at Nashville, and shows:

1. Nathaniel Taylor, Brigr. General, ordered into service on 4th of August, 1814, present.
2. George Duffield, Aid de Camp, engaged 23rd Sept. 1814, present. ³⁷
3. John Russell, Brigadier Major, engaged 21st of Sept. 1814, absent on command by order Gen. Winchester.
4. Robert W. Hart, Asst. Adj. Genl., engaged 20th Sept. 1814, present.
5. Allen Johnson, Brigadier Qr. Master, engaged 30th September, 1814, resigned on the 28th Nov. 1814.
6. Thomas W. Winn, Brigadier Qr. Master, absent on command.
7. James H. Peck, Asst. Topogl Engineer, engaged 20th Sept. 1814, present. ³⁸
8. Spencer E. Gibson, Hospital Surgeon, engaged 20th Sept. 1814, present.
9. Wm. B. Carter, Forage Master, engaged 20th Sept. 1814, resigned 17th of October, 1814. ³⁹
10. Joseph Trotter, Forage Master, engaged 17th Oct. 1814, present.
11. John S. Fulton, Asst. Forage Master, engaged 14th Dec. 1814, present.
12. John Durgan, Asst. Forage Master, engaged 14th Dec. 1814, absent on command.
13. David G. Vance, Wagon Master, engaged 20th Sept. 1814, present.

³⁶Bassett, *Correspondence of Andrew Jackson*, II, 195.

³⁷Duffield was the son of a Presbyterian minister, Rev. Samuel Duffield, of Philadelphia, and had come to Tennessee and located as a lawyer at Greeneville as early as 1801. He took a deep interest in Greeneville College. He married a daughter of General Landon Carter, and their daughter married Alfred W. Taylor. Duffield Academy (now a high school) in Elizabethton yet bears his name.

³⁸Son of Adam Peck and brother of Judge Jacob Peck of the Tennessee Supreme Court. He removed to Missouri and became a U. S. district judge.

³⁹Son of Gen. Landon Carter. He was a member of Congress from the first district, and was president of the Constitutional Convention of 1834.

14. Joseph McCorkle, Asst. Wagon Master, engaged 20th Sept. engaged 20th Sept. 1814, present.

15. David W. Hailey, Asst. Wagon Master, engaged 14th Dec. 1814, absent on command.

16. Samuel Bruff, Asst. Topgl Engineer, engaged 9th Nov. 1814. Absent on command at Fort Jackson. P. Martin, private Waiter, engaged 20th Sept. 1814, present. A private waiter to Gen. Nathl. Taylor.⁴⁰

LATER LIFE

Returning from the war in the South, General Taylor soon turned his attention to the construction of a new home in Happy Valley. There he had acquired a large holding of lands. A part of this came to him from his father; other and the larger portions were purchased by him until he owned there above 3,000 acres of land, covering the major part of Happy Valley,⁴¹ so widely known in Tennessee and the South for its natural charms and historic background. The site chosen for this home was on land formerly owned by Matthew Talbot,⁴² near the mouth of Gap Creek, a branch of the Watauga. The house yet stands, on an eminence overlooking the Watauga. More care was bestowed on the interior finish than on its exterior.

The holdings of General Taylor in Happy Valley also included the land on which the two great rayon plants of the North American Rayon Corporation stand. These plants were built at a cost of about \$17,000,000.⁴³ Broad as was the outlook of Nathaniel Taylor it was beyond his ken to contemplate such a development.

⁴⁰When president of the United States, General Jackson, journeying between Nashville and Washington by stage, spent a day with friends at Blountville. When Martin heard that he would stop in that place, he asked his mistress, Mrs. Taylor, for leave to go there to see the old general once more, and said that he was willing to walk the distance. As reported by a physician in the neighborhood, N. E. Hyder, Mrs. Taylor told him he could go, but that he must ride the best horse on the farm, and that her son, Alfred, would go with him and take care of him.

⁴¹On Buffalo and Gap Creeks of the Watauga and on that river, running back into the hills. He owned the land on which the Richard Henderson & Company treaty with the Cherokees was held in March, 1775; on which stood Fort Caswell (Watauga Fort), which was attacked and besieged by the Indians in July, 1776; and where the King's Mountain men rendezvoused in September, 1780.

⁴²An outstanding pioneer, neighbor of Andrew Taylor, Sr., Talbot was from Bedford county, Virginia. A man of ability and means, he was one of the earliest Baptist preachers in the Tennessee country. Thomas Talbot, of the State of Franklin and later a resident of the Nashville region, was one of his sons.

⁴³The social center, the Franklin Club house, is almost on the spot where was the home of Nathaniel G. Taylor, father of Governors Alfred A. and Robert L. It was the boyhood home of the two last mentioned.

Dr. Charles Coffin, a New England Presbyterian minister who came to East Tennessee about 1802-03 to become president of Greeneville College (now Tusculum College), soon began a canvass for funds for that infant institution of learning.⁴⁴ Making the rounds in Upper East Tennessee, he visited Carter county. In his journal⁴⁵ he recorded under date of February 14, 1803: "Was introduced to several Gentlemen, but all the friends of the College regret the absence of Major Taylor, the most influential & public spirited man in the County." Coffin visited the Taylor home and it goes without the saying that he met with a hospitable reception. Hospitality was to the people of this section a part of their creed.⁴⁶

General Taylor died in 1816; and, according to family tradition, before the new home was ready for occupancy. Cut off at the age of forty-five, with many years reasonably in expectancy, and with a worthy record already to his credit, one wonders whether, had his been the normal span of life, the first Governor Taylor of Tennessee would have been Nathaniel. His family and social connections were rapidly increasing and all were ready to back him in any aspiration for preferment.

General Taylor's remains were buried in the family burial ground on a high hill immediately overlooking the historic Sycamore Shoals of the Watauga. The grave-stone has been so defaced by time and the elements that the lettering on it is no longer decipherable.⁴⁷

DESCENDANTS

From the outset the descendants of General Taylor demonstrated ability. His son, James Patton Taylor, was an early district or prosecuting attorney (1814-1818); but he, too, died comparatively young. That he was popular and promising is shown by the fact that in 1836, shortly after his death, when Johnson county was about

⁴⁴Governor Sevier subscribed readily \$120.

⁴⁵Copy preserved in the C. M. McClung Collection, Lawson McGhee Library, Knoxville.

⁴⁶For proof of this, see William Tatham, *Communications Concerning the Agriculture and Commerce of the United States* (London, 1800), 83, 151-53. Tatham, the scion of a noble English house, was in the Watauga region from 1776 until 1779. On his return to England he published several volumes which shed much light on the history of upper East Tennessee. For his career, see S. C. Williams, *William Tatham, Wataugan*.

⁴⁷The numerous descendants owe it to themselves, as well as to the memory of a worthy and near-great Tennessean, to see to it that an enduring monument is erected to mark the last resting place of General Nathaniel Taylor and his faithful wife.

to be established, his name was proposed for perpetuation in that of the new county. The name of a worthy early settler, Thomas Johnson, was chosen instead; but the county seat was named, in honor of James P. Taylor, Taylorsville.⁴⁸ This son was named for his maternal grandfather, and married Mary (Polly) Carter, daughter of Landon C. and Elizabeth (Maclin) Carter, the latter a sister of William Maclin, the first secretary of the state of Tennessee.

The second son, Alfred Wilson Taylor, was also a lawyer. He married Elizabeth Carter Duffield, daughter of George Duffield, General Taylor's aide-de-camp in 1815, and Sarah Stuart (Carter) Duffield, daughter of Landon C. Carter. Although A. W. Taylor had little inclination towards public life, he served one term in the legislature (1833). The two sons thus married into the Carter family.

The daughters of General Taylor extended the connections to other influential families. Anna married Thomas D. Love, son of Colonel Robert Love, I, and niece of General Thomas Love, of Henry county, West Tennessee. Lorena married General Jacob Tipton, son of Captain Jacob Tipton, of West Tennessee. Tipton county, Tennessee, was named in honor of Captain Jacob. Mary married Dr. William R. Dulaney of Sullivan county, a leading physician. Seraphina, the youngest daughter, married Alfred E. Jackson, who during the Civil War was a brigadier-general in the service of the Confederate States. He was the son of Samuel D. Jackson, a wholesale merchant of Philadelphia who came to Tennessee near the close of the century, and purchased and lived on the John Sevier plantation on the south side of the Nolachucky River in Washington county.

The oldest brother of General Taylor, Isaac, was in the Revolutionary War and in the battle of King's Mountain. He married Elizabeth, daughter of Jacob Brown, founder of the noted Brown's Settlement on the Nolachucky, 1772. The Browns were prominent in Washington county.

This summary shows the influential connections of Nathaniel Taylor at the time he flourished. Later descendants were equally

⁴⁸A. C. Foster in his *Counties of Tennessee* (Nashville, 1923) under Johnson county has erred in two respects. He states that the county was named for Hon. Cave Johnson of Clarksville, and that the county seat was named in honor of Gen. Nathaniel Taylor. It was proposed in the General Assembly to name the county "Taylor" for the last named; but a compromise was reached with result as stated. Foster truly states that the name of the county seat was changed to Mountain City at the instance of Roderick Random Butler, then in the state Senate. Butler and Alfred A. Taylor were at the time hot rivals, at the head of opposing Republican factions in the first congressional district.

prominent. A grandson, son of James Patton Taylor, was Nathaniel G. Taylor, congressman, elector for the state-at-large and Indian commissioner under President Andrew Jackson. He was a Methodist local minister and an orator of note. The records of his sons, Alfred A. and Robert L., as congressmen, and governors, and of Robert L. as senator from Tennessee are too recent and well known for extended comment.

Generally speaking, the descendants of James P. Taylor adhered to the Union cause in the Civil War, while those of his brother, Alfred W. Taylor, followed the fortunes of the Southern Confederacy, producing efficient officers such as Nathaniel Macon, George Duffield, and Henry Harrison (Tip) Taylor. Too, men of the Jackson, Tipton and other lines, adhered to the Southern cause.

EARLY EXPERIMENTS WITH PRISON LABOR IN TENNESSEE¹

By Charles P. White

In 1937 the General Assembly of Tennessee enacted two statutes designed to limit the sale of prison-made goods to public institutions. The first act, Chapter 67, prohibited the sale in Tennessee of goods, wares, or merchandise manufactured in whole or in part by convicts or prisoners, but specifically exempted sales to any public institution.² A second act, Chapter 104, declared it to be the policy of the state to limit the production of coal in mines operated by convicts to the amount necessary to be used by the state itself. In accordance with this policy, prison authorities were instructed to make plans so that at the end of two years (i.e., by March 4, 1939) no coal or coal products should be sold on the open market or to anyone other than the state itself.³

Enactment of these statutes was not entirely voluntary on the part of the state legislature, but was virtually compelled by actions previously taken by Congress and by other states. For more than forty years labor organizations and manufacturing groups had been agitating for legislation restricting the alleged competition from prison-made goods. Finally in 1929 Congress responded to this demand by passage of the Hawes-Cooper Act⁴ which divested prison goods of their interstate character. In practice, the law merely made it possible for any state to prohibit the sale of such goods within its borders. Before this law was tested and its constitutionality affirmed by the United State Supreme Court,⁵ Congress proceeded one step further by enacting the Ashurst-Summers Act which definitely prohibited the shipment of prison-made goods into any state that had enacted legislation prohibiting their sale therein.⁶

¹Completion of this study, which constitutes a part of a general investigation of prison labor policies in Tennessee, was made possible by a grant-in-aid from the Social Science Research Council.

²The law reads in part: "...any institution supported wholly or in part by funds derived from public taxation and operated under the supervision of the United States of America, the State of Tennessee, or any other State of the Union, or any political subdivision thereof." *Public Acts*, 1937.

³The effective date of this act was postponed until March 10, 1941. *Ibid.*, 1939, Chapter 179.

⁴*U. S. Stat. at Large*, 1929, Chapter 79.

⁵*Whitfield v. Ohio*, 297 U. S., 431.

⁶*U. S. Stat. at Large*, 1935, Chapter 412.

When the General Assembly convened in January, 1937, thirty-three states had enacted statutes prohibiting or restricting the sale of prison-made goods.⁷ The apparent effect of these laws was two fold. First, the market for goods produced in Tennessee prisons was steadily shrinking, thus making it more and more difficult to dispose of them at profitable prices. Second, it was claimed that Tennessee, because of its failure to adopt similar restrictions, would become a dumping ground for prison goods produced elsewhere.⁸

In some quarters the legislation of 1937 was interpreted as putting an end to the controversy over the alleged competition between free and prison labor. Judging from past experiences, however, it is merely another episode in a century-old dispute. On numerous occasions legislative and administrative groups have devoted themselves to the problem and have instituted programs they apparently thought would constitute a final solution. Yet in each case the problem reappeared within a few years in a slight different form. It is the purpose of this article to review some of the early experiences with prison labor in Tennessee in the hope of arriving at some conclusions applicable to the present situation.

STAGES OF PRISON LABOR HISTORY

Broadly speaking, Tennessee has passed through three fairly well defined periods in its prison labor history. During the first period, which extended from the establishment of the first state prison in 1831 to the outbreak of the Civil War, convicts were employed mainly in manufacturing, although during the latter part of the period substantial numbers were used in construction work on the State Capitol. The distinguishing feature of this stage is that the state acted as its own employer, assuming full responsibility for selecting lines of employment and assuming all financial risk connected with the sale of the goods produced. The second period, extending from 1866 to approximately 1896, witnessed the development of the lease system, under which the state leased the convicts to private individuals or corporations, usually for a flat annual sum. This system ended in disaster when the coal miners of the state resorted to violence in protest against the use of convict labor in the mines.⁹ Following the "coal

⁷*Methods of Using State Prison Labor*, Research Report No. 26 of the Tennessee Taxpayers Association (Nashville, 1937), p. 2.

⁸*Ibid.*

⁹This episode is admirably treated by A. C. Hutson, Jr., in two articles, "The Coal Miners' Insurrections of 1891 in Anderson County, Tennessee," and "The Overthrow of the Convict Lease System," appearing in the *East Tennessee Historical Society's Publications*, No. 7 (1935), 103-21, and No. 8 (1936), 82-103.

miners' war" the state adopted a combined piece-price and public account system, with part of the prisoners employed at the Main Prison at Nashville in manufacturing lines, and the remainder engaged in state-owned coal mines at Brushy Mountain Prison. This system was in use at the time the restrictive legislation of 1937 was adopted.

Despite the numerous changes in policies that occurred during these various periods one major objective was kept foremost. This objective, baldly stated, is that the prison should be self-supporting, and if possible, should be operated so as to create a net revenue for the state treasury. As a rule, other possible objectives, such as reformation of the prisoner, or teaching trades, have been subordinated to this one. And in carrying out this policy the most serious obstacle has been the complaint that the state, by its use of convicts, was competing with "free" labor. The problem continually facing legislators and prison administrators has been that of harmonizing the ideals of self-support and non-competition, or more specifically, of selecting lines of work that would be profitable, yet not arouse the opposition of manufacturing and laboring groups. This is in no sense a recent problem, as is clearly shown by the following survey of early prison history.

ESTABLISHMENT OF THE FIRST STATE PRISON

The history of prison labor in Tennessee begins on January 1, 1831, when the first state prison was declared ready for occupancy in a proclamation issued by Governor William Carroll. Erection of this institution had been authorized in 1829 and actual work began on April 1, 1830. The prison was located near the outskirts of Nashville on ten acres of land which had been acquired at a cost of \$2,500 and paid for by voluntary subscriptions of the citizens of Nashville.¹⁰ Total cash expenditures for constructing and equipping the prison were \$53,557.67, to which should be added \$15,000 as the estimated value of the convict labor used in completing the cells, thus giving a total cost of \$68,557.67.¹¹ As originally constructed the prison

¹⁰The essential facts relating to the origin of the prison are summarized in the report of a special legislative committee of 1839 (*House Journal*, 1839-40, pp. 919 ff.), and in the regular biennial report of the Board of Prison Inspectors for 1839-41 (*ibid.*, 1841-42, Appendix, 3 ff.).

¹¹There are numerous minor discrepancies in the various reports. In stating the figure here given, I have relied mainly upon the appropriations as given in various appropriation acts, chiefly *Acts*, 1829-30, Chapter 5, and *ibid.*, 1831-32, Chapter 87. The report of the Bank of the State of Tennessee, September 16, 1833 (*Senate Journal*, 1833, pp. 6-7), shows that these appropriations were actually paid. The estimate for the value of prison labor is given by the legislative committee of 1839.

contained 200 cells, this number being increased to 232 in 1853, and to 352 in 1859.

Management of the prison was placed in the hands of an unpaid Board of Inspectors consisting of the governor, the secretary of state, and three members elected by ballot by the General Assembly for two year terms.¹² The duties of the board were chiefly supervisory in nature, with responsibility for detailed management resting with an agent appointed by the board. In addition to the agent, the board was empowered to appoint a physician and a clerk, but all subordinate employees, such as assistant keepers, turnkeys, etc., were to be appointed by the agent or keeper.

As previously stated, it was assumed from the first that the prison should be self-sustaining. Legislation enacted in 1829 made it the duty of the agent, "by all proper means, to cause all the expenses of the prison to be defrayed as far as practicable by the labor of the prisoners . . .," and provided in addition that "the male convicts shall labor together in workshops during the day, at such employments as shall be best suited to their age, strength, and capacity . . ."¹³ Selection of the particular lines of work to be undertaken was left to the discretion of the agent, with instructions that he should give "due regard to that employment which is most profitable." It was assumed, apparently, that the agent would develop his own methods of marketing prison-made goods; since the statute imposed no restrictions, he was free to sell in bulk to local merchants, directly to individual consumers, or through commission men. In like manner, the statute was silent with respect to credit policies, thus permitting the agent, by implication, to sell on open or book account, to accept promissory notes, or to insist on cash payments.

EARLY PRISON INDUSTRIES AND POLICIES

It seems probable that the first type of work performed by convicts in the new prison was that of completing the cells, workshops and kitchen, and making repairs at the Senate Chamber and Representative Hall.¹⁴ Although the prison was given credit on its books for the estimated value of such work, it obviously produced no revenue that could be used in meeting current expenses; to produce the desired

¹²*Acts*, 1829-30, Chapter 38, Section 6.

¹³*Ibid.*, Sections 24 and 25.

¹⁴These labors are mentioned by a select legislative committee which reported to a special session of the legislature in 1832. *House Journal*, 1832 (called session), p. 123 ff. Later reports state that the labor in connection with the prison was estimated at a value of \$15,000.

cash receipts it was necessary to establish some productive lines of work. The printed documents do not state when the first prison industries were established, but it evidently occurred some time during 1831. At any rate, by October 1, 1832, convicts were reported engaged in eleven different industries or occupations, ranging in difficulty from hat-making to stone cutting.

It would be interesting to know how the officers proceeded in selecting the industries that were established, but the printed reports offer no explanation. Such factors as the skill and training of the convicts as indicated by previous occupations, local demand for the various products and the possibility of selling them at profitable prices, the cost and availability of raw materials, the amount of capital required in the form of tools and machinery, and the adaptability of the industry to prison conditions, with respect to such problems as guarding and discipline, were no doubt considered, but the relative weight given these factors can only be surmised. It is clear, however, that the industries actually established were distinctly of the handicraft type that required little in the way of tools and equipment; furthermore, they were operated on a relatively small scale, judging by the number of convicts engaged in each line. For the first few years the agent segregated operations of each department

TABLE I
INVESTMENT IN TOOLS AND FIXTURES IN
PRISON INDUSTRIES: 1833-39^a

INDUSTRY	1833	1835	1837	1839
Shoe making ^b	\$ 96.75	\$ 92.87	\$ 95.20	\$100.00
Coopering	35.00	96.62	244.74	255.62
Tailoring	36.00	42.50	60.00	72.00
Stone cutting	139.57	288.25	651.75	670.00
Hat making	255.00	994.96	876.50	c
Blacksmithing	255.00	550.00	671.20	690.00
Wagon making	110.00	195.25	327.50	365.00
Carpentry	150.00	275.12	359.75	385.00
Chair, turning and paint	140.12	125.00	c	c
Total	\$1,217.44	\$2,720.57	\$3,286.64	\$3,427.62

a. Compiled from the various biennial reports of the agent of the penitentiary.

b. Harness making is included with shoe making in the reports for 1837 and 1839.

c. No figures reported.

in his biennial report, thus indicating the relative importance of the various industries or trades. The essential facts are shown in Table I.

The financial success of the prison was dependent, of course, not merely on a wise selection of industries, and the productive efficiency of the convicts, but on the ability of prison officials to market the goods at profitable prices. Despite its importance, the problem of marketing is not discussed at length in any of the official reports. However, by piecing together various fragments of information, it is possible to present certain tentative conclusions.

First, it is probable that the products were sold primarily to farmers. This is indicated by the type of industries engaged in and is definitely supported by a statement made by a legislative committee in 1839 that "those who deal with the prison are generally farmers and are not only able but willing to pay their debts."¹⁵ Second, there is good reason for believing that the goods were sold only at the prison to purchasers who called there and inspected the goods. For example, in 1845 the secretary of state recommended that all convicts be employed in construction work on the State Capitol, in the belief that it would be more profitable than the existing manufacturing program. In supporting his argument he stated that the prison had no market except within its walls, that it was located too far from the banks of the Cumberland River, and that it was therefore "forced to engage in the lighter trades and depend upon neighborhood patronage."¹⁶ Similar testimony was offered in 1851, when the agent recommended that an additional prison be established in Memphis. "That city," he said, "being located on the greatest thoroughfare of the world, as well as the most important trading point for a large and fertile portion of our own State . . . renders it the best place for vending articles usually manufactured in Prison, within my knowledge."¹⁷ Again, in 1855 the Board of Prison Inspectors, in discussing the need for changes in the administrative organization, pointed out that the agent "must necessarily sell the manufactures at the prison, when better prices and a more ready market might be found elsewhere."¹⁸ Apparently this system of selling only at the prison prevailed until the outbreak of the Civil War, for in 1859 the board called attention to the need for "a large storehouse, where all the manufactured articles could be exposed for sale" They further

¹⁵*House Journal*, 1839-40, Appendix, p. 920.

¹⁶Report of the commissioners appointed to superintend the construction of the State House, *Senate Journal*, 1845-46, Appendix, 60.

¹⁷Report of the keeper of the penitentiary, *ibid.*, 1851-52, Appendix, 102.

¹⁸Report of the inspectors, *ibid.*, 1855-56, Appendix, 65.

asserted that "the present plan of conducting purchasers through the different workshops, when the prisoners are at work, is very objectionable."¹⁹ Thus all the available evidence indicates that officials followed a passive rather than an active selling policy; there may have been some advertising and possibly some use of commission men, but such selling expenses are never listed in the detailed financial statements of the prison.

Although it is possible to get a reasonably accurate picture of marketing methods, it is virtually impossible to discover the procedures used in pricing prison goods and services. It is quite probable that prices were arrived at, in accordance with the practices of the times, by a process of bargaining and higgling. If so, how did officials establish the price range within which bargaining was permitted? Did they simply adopt the prices quoted by private merchants in the Nashville area? Or did they attempt to base them on production costs, including such items as cost of materials and more or less arbitrary estimates of the value of prison labor?

These questions are not answered in the official reports, for during the entire period 1831-1861 there are only three or four references to the pricing problem. One of the earliest occurred in 1837 when certain mechanics of Williamson and Davidson counties filed petitions with the legislature objecting to convicts being taught mechanical trades, and urging that prices of prison-made goods be regulated "by the standard of auction sale valuation or otherwise."²⁰ A legislative committee replied rather curtly that "it would not only be improper but ruinous to the Penitentiary" to grant either request. The committee believed that the agent should continue to have full authority "to affix such prices as his own judgment dictates"; furthermore, they stated they had looked into the matter and were well satisfied that the agent was charging "a higher price for the articles manufactured than is charged in other markets." This was particularly true of the prices for stone, which they were convinced were "from 33 1/3 to 50 per cent higher than the prices charged in Ohio, for some kinds of stone work."²¹ However, no price comparisons were presented for other products and the committee apparently did not examine the agent as to the system used in pricing goods.

In a few instances, chiefly in connection with stone work or construction jobs, estimates of the value of prison labor are furnished.

¹⁹Report of the inspectors, *ibid.*, 1859-60, Appendix, 228.

²⁰*Senate Journal*, 1837-38, p. 605.

²¹*Ibid.*, p. 605.

Thus in 1837 the agent reported that he had estimated the value of prison labor used in rebuilding shop foundations and walls at thirty cents per day for the "common laborer," and fifty cents for the "workmen." Again, in 1845 when the problem of using prison labor on the State Capitol was being considered, Dr. John S. Young, one of the prison inspectors, figured the labor of the men "who are not practiced in the business of cutting stone" at slightly less than 75 cents per day, and "good workmen" at \$1.25 per day.²² In 1857 the agent reported that he had entered into contracts for cutting stone for two large store buildings in Nashville "at 60 and 75 cents per foot, and with an extra charge for finish," but admitted on completion of the work that the contracts "were rather a losing business."²³

This evidence is admittedly scanty and unsatisfactory. Such value as it has is chiefly negative in character, since there is nothing to suggest that prison officials were greatly impressed with the need for sound methods of establishing prices. It seems probable that pricing was done in a rather off-hand, arbitrary fashion.

The question of prison organization and management is closely related to the problems of proper selection of industries and the methods of pricing and marketing prison products. From previous statements it can be seen that the original legislation contemplated an organization comparable in some respects to a private corporation. The Board of Inspectors provided for in the act of 1829 corresponds roughly to the board of directors of a modern corporation, since it was required to hold monthly meetings and was expected to exercise only general supervision over the institution; the detailed management was entrusted to the agent, who was selected by and responsible to the board.

Modern developments were anticipated in another respect, for in the beginning the prison was made virtually independent of the state treasury. Under the original act the agent was not required to pay prison funds into the state treasury, but was permitted to deposit them in some bank approved by the inspectors.²⁴ Legislation enacted in 1835 required the board to make full and complete settlement with the agent every quarter.²⁵ This was followed two years later by the requirement that after such settlement the board should pay the funds

²²Report of the commissioners appointed to superintend the construction of the State House, *loc. cit.*, 59.

²³Report of the agent and keeper, *House Journal*, 1857-58, Appendix, 78.

²⁴*Acts*, 1829-30, Chapter 38, Section 20.

²⁵*Ibid.*, 1835-36, Chapter 63, Section 3.

remaining after payment of necessary expenses into the treasury.²⁶ In succeeding years prison finances were gradually brought under the control of the treasury, but it was not until 1846 that the agent was required to make quarterly settlement with the comptroller.²⁷ Although this act specified that the agent should produce all receipts and vouchers, thus providing the material required for a detailed audit, the effectiveness of control by the comptroller is open to question. It is clear, as will be pointed out later, that the growth in debts owed the prison was not entirely checked; furthermore, it seems that the legislature was not entirely convinced that such control was successful, as indicated by a resolution of 1855 which instructed a committee to examine the management of the prison during the preceding six years "and report to this House what frauds, if any, have been perpetrated by officers of that institution, and by whom."²⁸

The idea of a supervisory board was retained throughout the period 1831-1861, although several changes occurred in the method of selecting members. Originally the governor and secretary of state served *ex officio*, with three additional members chosen for a four year term by joint ballot of the General Assembly.²⁹ In 1837 the *ex officio* members were removed and the remaining elective members were granted compensation of \$2.00 per day.³⁰ Six years later an *ex officio* board, consisting of the secretary of state, comptroller and state treasurer, was created,³¹ but this system was abandoned after a two year trial. Finally in 1845 the legislature settled upon the form which was allowed to continue unchanged during the remainder of the period under discussion; this decision resulted in the creation of a board of three who were to be appointed by the governor, subject to confirmation by the Senate.³²

The internal organization of the prison suffered little change during the first thirty years of its history. As stated above, the board, under the original legislation, appointed a physician and a clerk, in addition to the agent. The chief duties of the clerk were the keeping of accounts and the preparation of financial statements; it was the intention, apparently, that he should work under the supervision of the agent. Although numerous changes were made as to the frequency and the type of reports required, there was no substantial change in

²⁶*Ibid.*, 1837-38, Chapter 173, Section 2.

²⁷*Ibid.*, 1845-46, Chapter 129, Section 10.

²⁸*Ibid.*, 1855-56, Resolution No. 2.

²⁹*Ibid.*, 1829-30, Chapter 38, Section 7.

³⁰*Ibid.*, 1837-38, Chapter 173, Section 3.

³¹*Ibid.*, 1843-44, Chapter 218, Section 2.

³²*Ibid.*, 1845-46, Chapter 129, Section 5.

this organization until 1851, when an attempt was made to set up certain checks on actions of the agent by providing for two clerks.³³ The first, designated as treasury clerk, was made responsible for handling prison funds and keeping accounts, with legislative instruction that he was to pay out money only on warrants issued by the second or auditing clerk. In addition to auditing all claims against the prison the auditing clerk was expected to keep close watch over inventories. The agent was authorized to set the price at which finished goods were to be sold - - per piece, gross or dozen; the auditing clerk was then to mark or tag the goods and report to the treasury clerk, who was to charge the agent with the sums designated. Special procedures were provided for handling damaged goods and goods priced too high to be sold.

In its biennial report for 1855 the Board of Inspectors recommended a drastic reorganization of the prison administration. This proposal, in brief, was that the functions of management be divided between two officials, a warden and a fiscal agent. The duties of the warden should be "to guard, feed, clothe, and, assisted by his guards, exercise all municipal or police authority."³⁴ The proposal with respect to the fiscal agent was that he "should have entire control of the labor of the prisoners, employ them in whatever pursuit he might deem best. That he should be required to give bond and security to indemnify the state against any loss, and to pay the state a fixed sum of money per annum for the rent of the prison and services of the convicts; and that the profits arising from the products of the concern, . . . should go to the said agent in lieu of a salary." In support of this recommendation the inspectors suggested that under the prevailing system the agent could not be expected to conduct as extensive and varied a business as one who had both his time and capital invested in the job. The legislature failed to adopt the proposal, but it did authorize the agent to purchase manufacturing materials "at any place in the United States, where he can obtain them on the best terms."³⁵

THE PROBLEM OF COMPETITION

During the first few years of its existence legislators and executives were sure that the prison would not only cover all its expenses, but would produce a substantial net revenue. These plans and hopes, however, were not allowed to go unchallenged. As stated above, the

³³*Ibid.*, 1851-52, Chapter 102.

³⁴Reports of the inspectors and keeper, *House Journal*, 1855-56, Appendix, 65.

³⁵*Acts*, 1855-56, Chapter 117, Section 8.

legislature in 1837 was forced to consider petitions from "sundry mechanics" of Williamson and Davidson counties who complained of injury from competition with prison labor. Similar complaints were considered in 1839, and two years later the prison inspectors stated they were planning certain changes in prison industries which they believed would reduce competition. Beginning in 1841 Governor James C. Jones discussed the question at length in three successive messages, and urged the legislature to make some change. Finally in 1843 it was decided to employ part of the convicts at preparing stone for construction of the State Capitol. Since this work continued for fifteen years, it helped to silence complaints, but the issue was never completely settled, and was being revived with considerable vigor at the outbreak of the Civil War.

Judging from the reports of various special committees, the legislature at first was not greatly impressed by the competition arguments; although inclined at times to make concessions to the "mechanical interests," as a rule it clung tenaciously to the idea of self-support. Thus the special committee of 1837 asserted that it was "necessary to employ the convicts in mechanical trades or to keep them idle and on expense to the State"; furthermore, it would destroy the institution to allow prices to be dictated by an association of mechanics.³⁶ The committee thought that complaints that prices were too low would be more appropriate if the prison were losing money; since the institution was showing a handsome profit, it would be best to leave the system unaltered.

The committee of 1839 was even more emphatic. It asserted that the complaints "are confined almost exclusively to individuals in Nashville, some of whom are not mechanics; and . . . many of the most industrious, respectable and enterprising mechanics of the town take no part in presenting the supposed grievances."³⁷ Its investigation had proved "that the complaints have little foundation in fact." Furthermore, the committee asserted that the prison was established as the best means of punishing and reforming criminals; if it accomplished these ends, "though it may in some degree conflict with the interest of a few individuals in the vicinity of the institution, the injury is overbalanced by the good to the community." With respect to competition, the committee believed that a much greater injury resulted from the importation of domestic manufactured goods.

³⁶*Senate Journal*, 1837-38, p. 605.

³⁷*House Journal*, 1839-40, Appendix, 920.

Who that has passed through the streets, has not noticed the number of hat, shoe, and clothing stores in the town? and in the commission and other houses you will find cabinet furniture, chairs, ploughs, and indeed almost every article necessary for farming operations, which ought to be manufactured here. The quantity of manufactured goods sold in that way is perhaps tenfold greater than is sold at the Penitentiary.³⁸

As a parting shot, the committee pointed out that no place had enjoyed more liberally the bounty of the General Assembly than Nashville; her citizens should not complain of a single, to some extent imaginable, injury.

Despite these vigorous pronouncements, the protests were not entirely without effect, for they at least focused attention on the problem, and probably made both legislators and prison officials somewhat more careful in the selection of industries. Prior to 1841 the Board of Inspectors had made no mention of competition, but in that year it accepted the view that the work done in prison should be that which is most profitable to the state, but that care should be taken to injure the "mechanical interests" of Nashville as little as possible. With this in mind, the board planned to introduce, as soon as practicable, the manufacture of bagging and rope.³⁹ Although this intention was not carried out, the legislature eased the situation somewhat in 1843 by directing that as many convicts as could be spared from the prison be put to work on the State Capitol.⁴⁰ The change in legislative attitude is indicated rather clearly by the title of a similar act passed in 1845, which described the act as one "to better organize the State Prison, and to prevent it from conflicting with the mechanical interests of the country."⁴¹

Certain basic ideas are found in practically all contemporary discussions of competition. First, it was generally assumed that competition existed, or at least was injurious, only when prison products entered the market, thus increasing supply and lowering prices. In other words, what the opponents of prison labor feared was price cutting and the resulting unsettling of the price structure rather than the immediate displacement of labor.⁴² It is obvious that the use of con-

³⁸*Ibid.*, p. 919.

³⁹Report of the inspectors, *House Journal*, 1841-42, Appendix, 5.

⁴⁰*Acts*, 1843-44, Chapter 218, Section 4. See also Chapter 205.

⁴¹*Ibid.*, 1845-46, Chapter 129.

⁴²It will be recalled that the petitions of 1837 urged that prices be regulated "by the standard of auction sale valuation or otherwise." In 1841 Governor Jones asserted that "it is certainly true . . . that the institution is enabled to sell its products at low and reduced prices." *House Journal*, 1841-42, p. 97.

victs to build additions to the prison or to prepare stone for the State Capitol took jobs that otherwise would have been available to free labor, yet there is no evidence of complaint against this type of work.⁴³ Second, it was assumed by both advocates and opponents of prison labor that the most satisfactory method of avoiding competition was to produce goods not then being made in Nashville or the immediate vicinity.

As we have seen, the legislative committee of 1839 developed this second argument at some length. The same idea was expressed in 1843 by Governor Jones, who inquired: "Would it not be better and the end more profitable to employ the convicts in the manufacture of such articles as constitute no part of the labor of our own citizens, and yet which enter into the general consumption of the country and for the supply of which we must look abroad?"⁴⁴ Governor Aaron V. Brown accepted the same point of view in recommending in 1845 that the legislature consider the establishment of an additional prison in East Tennessee. Such an institution, he believed, "could furnish employment for its convicts in iron, marble, & [etc.] which would not bring its products so much in competition with the ordinary mechanical labor of the country as the present one is understood to do."⁴⁵ Again, the keeper reported in 1853:

. . . I have recently introduced two new branches of manufactures, viz: of Planes, and of common Wool Hats. I was induced to select these two, not only because of their yielding a moderate profit, but chiefly because they will not conflict with the manufacturing interests of our citizen mechanics. There is not, so far as I am informed, any plane manufactory in the State; and the fabrication of common wool hats is carried on only in remote counties, and to a very limited extent; the supply of those articles found in our markets being all imported from the Eastern cities.⁴⁶

The same line of argument was advanced in 1855 by a legislative committee which agreed that competition should be kept at a minimum, but suggested that:

⁴³Governor Jones, one of the most outspoken critics of prison labor policy, heartily approved of the use of convicts on the Capitol. In 1845 he recommended that the penitentiary be made "subservient" to the completion of the Capitol, asserting that this policy "would not only be justified by economy, but it would silence the complaints of our citizen mechanics against the unfair and unjust competition to which they are subjected at the present employment of convict labor." *House Journal*, 1845-46, p. 29.

⁴⁴*Ibid.*, 1843-44, pp. 20-21.

⁴⁵*Ibid.*, 1845-46, p. 154.

⁴⁶Report of the inspectors, *Senate Journal*, 1853-54, Appendix, 10.

. . . there are some mechanical employments which would interfere but little with others. For instance, it is a well known fact that hundreds of thousands dollars worth of Boots and Shoes are annually brought here, from the Northern cities, and sold, and why not our State reap the benefit of that business, as well as importers?

Again, the demand for various kinds of Cooperage is great; and before the employment of a part of the convicts at that business, it was difficult to obtain articles daily wanted of Coopers' ware, even at double price of their value; and even now, large quantities are brought here for sale, from Cincinnati and other places.⁴⁷

During the fifties, two proposals were made, which, if adopted, would have had some effect on competition. One was made by the keeper in 1857 in connection with a complaint about over-crowding at the prison. His solution was that the state sell the existing prison site and purchase 100 or 200 acres of land some three or four miles from Nashville; there the convicts could grow their own vegetables, and raise hogs and cattle, and if necessary, do their own slaughtering.⁴⁸ However, the legislature took no action on the matter.

Another proposal, much more ambitious and far reaching, was considered by the legislature in 1853.⁴⁹ A bill giving effect to the proposal was summarized by a Senate committee as follows:

- (1) That the convicts shall only be employed in such labor as slaves usually perform in coal mines and iron manufacturing establishments.
- (2) That no branch of mechanics shall be taught in the institution, and that no article except railroad iron shall be sold or offered for sale outside the walls of the prison.
- (3) And that no article shall be manufactured there except such as shall be intended for the use of prisoners—thus affording redress of the just complaints of the mechanics.⁵⁰

In reporting the bill, the committee painted a rosy picture of possibilities. According to its estimates, 250 convicts "performing slave labor," with thirty or forty skilled overseers, could produce at least twenty tons of rails per day, or 6,000 tons per year, which at

⁴⁷*Senate Journal*, 1855-56, Appendix, 134.

⁴⁸Report of the agent and keeper, *House Journal*, 1857-58, Appendix, 79-80.

⁴⁹It is not clear how this proposal originated, but it probably had the approval of Governor Andrew Johnson, who delivered a scathing attack on the entire prison policy in his message to the legislature in 1853.

⁵⁰Report of Senate committee on Sen. Bill No. 177, *Senate Journal*, 1853-54, p. 507.

prevailing prices would be worth \$450,000.⁵¹ As to costs, the committee stated it was prepared to show that a general manager could be obtained for \$2,000 to \$2,500; that the cost of assistant managers, guards, etc., could not possibly exceed \$10,000; and that the convicts could be fed and clothed for \$60 or less per year. Total costs were estimated at \$40,000, thus leaving an annual net profit of \$410,000. But suppose, said the committee, expenses were doubled, and proceeds of labor only half as great; "we would still have the handsome sum of \$125,000 per annum clear profit"⁵² Despite this glowing picture, the bill failed to pass; in fact, there is no record that it came to a final vote.

At the outbreak of the Civil War the problem of finding suitable employment for the convicts was still unsettled, and in fact had become more acute. First, the fifteen year job of building the State Capitol had finally been completed, thus releasing a large number of convicts for other work. Second, the prison was so badly overcrowded that it had become increasingly difficult to find working space within the walls. A new wing containing 120 cells was finished January 1, 1859, but officials immediately complained of lack of space.⁵³ In the same year Governor Isham G. Harris recommended that the convicts be leased out on annual contracts in the belief that this scheme would be more profitable, since governments, he said, "are never good financiers . . . and ours forms no exception to the general rule"⁵⁴ However, the legislature was not prepared to settle the issue, but merely adopted a resolution establishing the governor, comptroller, and Board of Inspectors as a special committee to consider the propriety of removing the prison to a new site, with special instructions to consider the establishment of a branch prison in East Tennessee "for the purpose of marble in that section."⁵⁵ The

⁵¹The committee explained that this quantity in the form of "T" rails would iron 60 miles of track; in the form of "U" rails, 75 miles.

⁵²*Ibid.*, 511. To assure a ready market for the rails the bill virtually compelled railroads that had been aided by the state to purchase rails from the prison. The method used is not fully explained; apparently the governor was authorized to extend maturity dates of debts owed the state provided the debtor railroads purchased all rails from the prison.

⁵³The keeper reported that "for want of sufficiency of room, the prison has suffered greatly in the past twelve months. We have lost the services of many convicts who were good mechanics, and have been compelled to employ them as common laborers, thereby making a sacrifice of the interests of the institution." "Report of the Condition of the Tennessee Penitentiary," *Senate Journal*, 1859-60, Appendix, 231.

⁵⁴*Senate Journal*, 1859-60, Appendix, 125.

⁵⁵*Acts*, 1859-60, Resolution No. 44.

committee was instructed to report to the next session of the legislature but by that time all energies were devoted to war.

The last detailed information on employment of the prisoners is for September 30, 1857. As of that date the numbers engaged in each occupation were as follows:⁵⁶

Stone Cutters	68	Painters	4
Quarry Hands	31	Blacksmiths	23
Yard Hands	37	Wagon Makers	9
Shop Tender	7	Cabinet Makers	9
Wing Tenders	2	Coopers	29
Engineers	1	Shoemakers	16
Firemen	3	Matress Makers	3
Cooks	3	Carpenters	7
Washermen	2	Turners	4
Seamstresses	3	Harness Makers	1
Hospital Nurse	1	Millers	2
Chair Makers	12	Tailors	7
Repairers	1	Wool Carders	1
Total			286

FINANCIAL RESULTS

Whether the prison operated at a profit or a loss during the first thirty years of its history has been vigorously disputed. The testimony of contemporaries is frequently in direct conflict, and the financial records themselves do not always furnish the material necessary for positive conclusions. Fortunately, however, most of the dispute is concerned with the treatment of certain facts rather than the facts themselves.

For several years following the establishment of the prison all comments relating to finances were distinctly favorable, since they agreed that the institution was already operating at a profit, or would be in the near future.⁵⁷ As early as 1832 a legislative committee marveled at the fact that prison books showed "a clear profit" of \$2,474.50.⁵⁸ In 1837 Governor Newton Cannon stated complacently that the institution "is now a source of considerable revenue."⁵⁹ In the same year a legislative committee reported that the profits up to

⁵⁶*House Journal*, 1857-58, Appendix, 116.

⁵⁷In 1831 Governor William Carroll was confident that when the number of convicts increased to thirty-five or forty the prison would meet all expenses. Two years later he revised his estimate, saying that fifty or sixty convicts should give this result.

⁵⁸*House Journal*, 1832 (called session), p. 123.

⁵⁹*House Journal*, 1837-38, p. 17.

September 30, 1837, were \$23,644.90,⁶⁰ and on this favorable showing the committee recommended that the surplus revenues be appropriated to the common school fund. Two years later a similar committee announced aggregate profits up to September 30, 1839, of \$47,791.78.⁶¹

In spite of these glowing reports, very little revenue was ever paid into the state treasury. The explanation is not hard to find; the profits reported were largely book profits which were computed (1) by granting the prison credit for the estimated value of convict labor performed on state property, for which the prison received no payment in cash and (2) by including among prison assets certain notes and accounts which later proved to be worthless.⁶²

It is clear from the financial statements that prison officials took full advantage of their authority to sell on credit, for amounts due the prison in the form of notes and accounts increased steadily from \$10,304.02 in 1835 to \$43,949.68 in 1843. Governor Cannon called attention to the situation in 1839, and recommended that annual settlements be required by law, and that cash discounts be offered to induce prompt payment.⁶³ The legislature responded by requiring the agent to close and settle all accounts on January 1 of each year, but limited the effectiveness of the act by authorizing the agent to take notes for all amounts not settled in cash and by prohibiting him from enforcing collection by suit without securing consent of the inspectors.⁶⁴ Under such conditions the amounts due continued to increase. Two years later Governor Polk stated that some losses had occurred because of insolvency of the debtors or because of their removal from the state. As remedies he proposed that the length of credit be limited by statute and that suits for collection of debts be prosecuted vigorously.⁶⁵ The legislature, however, took no action.

In succeeding years the General Assembly vacillated between strictness and leniency. Legislation of 1843 required all sales to be made for cash or in exchange for materials;⁶⁶ this apparently proved too restrictive, as the requirements were relaxed in 1845 to permit sales on six months credit.⁶⁷ The latter act also admitted indirectly that

⁶⁰*Senate Journal*, 1837-38, p. 604.

⁶¹*House Journal*, 1839-40, Appendix, 920.

⁶²It is quite possible that the profits figures were further inflated by carrying finished goods at excessive valuations.

⁶³*House Journal*, 1839-40, Appendix, 13.

⁶⁴*Acts*, 1839-40, Chapter 97.

⁶⁵*House Journal*, 1841-42, p. 24.

⁶⁶*Acts*, 1843-44, Chapter 218, Section 6.

⁶⁷*Ibid.*, 1845-46, Chapter 129, Section 1.

some of the debts were uncollectible for it ordered the agent to classify them as good or bad and to carry them in separate accounts.

As work on the State Capitol progressed it gradually became apparent that the portion of convicts engaged in manufacturing could not produce enough revenue to support the entire prison; and the legislature in 1849 began making direct appropriations for operating expenses.⁶⁸ This was undoubtedly a cruel blow to those accustomed to looking upon the prison as a source of revenue; instead of relieving the taxpayer by providing additional funds for education, or for paying the interest on State Capitol bonds the prison was becoming an item of expense. If profits were as large as reported, why was it necessary to appropriate funds for operation?

One explanation had been clearly stated in the regular prison reports. Under acts passed in 1843 and amended in succeeding years a substantial number of convicts were assigned to the job of quarrying and cutting stone for the State Capitol. Since no provision was made originally for payment for this work, prison authorities recorded the estimated value of the labor as a credit or charge against the State Capitol, and were thus able to report substantial "profit balances." Obviously such credits provided no revenue for maintenance of the prison. The full significance of the second explanation was not revealed until 1852 when a legislative committee reported on the status of the notes and accounts due the prison.⁶⁹ According to the committee, the face value of these items on January 1, 1852, was \$31,006.79, which it classified as follows:

Good in full	\$10,869.71
Doubtful (probably one-half good)	2,209.10
Bad	17,927.98
	\$31,006.79

In accordance with the committee's recommendation the legislature instructed the agent to set up a separate book of accounts, designated the "suspended debt," to which he should transfer all notes and accounts "considered bad, or barred by the statute of limitations."⁷⁰ Although there is little to indicate how effectively this provision was enforced, nevertheless debts due the prison declined rather steadily

⁶⁸*Ibid.*, 1849-50, Chapter 219, Section 1.

⁶⁹*Senate Journal*, 1851-52, Appendix, 249.

⁷⁰*Acts*, 1851-52, Chapter 333, Section 4.

from \$27,594.36 in 1851 to \$17,074.96 in 1857. By 1859, however, they had increased once more to \$38,794.02.⁷¹

Before taking up the complicated financial relations between the prison and the commissioners of the State Capitol some reference should be made to the contradictory statements relating to prison finances, particularly during the later part of the period under review.

The first person who publicly questioned the profitableness of the prison seems to have been Governor Andrew Johnson who, at the beginning of his first term in 1853, launched a vigorous attack against the prison and all its policies. He asserted first that the institution had failed as a reformatory, for "there is not one in every thousand convicts whose moral condition is improved by . . . imprisonment; but, on the contrary, most of them, if not all, are made worse than they were before, and become confirmed in crime."⁷² Second, under the principle of self-support the prison had "been made practically a *State Mechanic Institute*, fostered and sustained by the treasury of the state, and brought into direct competition with the mechanics of the country to the extent of its entire operation."⁷³ Finally, the system had "fallen far below the expenses incurred in the erection of the establishment, and the annual cost of carrying it on. . . ." A close examination of prison finances, he asserted, would show "a deficit of not less than one hundred thousand dollars—probably much more."⁷⁴

On other occasions essentially the same figures used by Governor Johnson were made to yield entirely different results. Thus a legislative committee of 1855 announced, without referring directly to Johnson's conclusions, that total profits of the prison from its organization up to September 30, 1855, amounted to \$157,450.83, and submitted detailed figures to support its statement.⁷⁵ On the other hand, the state comptroller in 1859 seemed inclined to agree with Governor Johnson, for he complained that the prison "ever since its organization" had been a "vampire upon the public treasury."⁷⁶ Years later Governor William Bate compared financial results of the prison under various systems of operation and submitted tables showing a net loss or cost of \$376,407.67 for the period 1831 to 1866, inclusive.⁷⁷

Such contradictory conclusions were possible primarily because of the different methods used in considering the work done by convicts

⁷¹As shown in the various biennial financial statements of the agent.

⁷²*House Journal*, 1853-54, 459.

⁷³*Ibid.*, p. 461.

⁷⁴*Ibid.*, p. 460.

⁷⁵*Senate Journal*, 1855-56, Appendix, 133.

⁷⁶*House Journal*, 1859-60, Appendix, vi.

⁷⁷*House Journal*, 1885, pp. 18-19.

on the State Capitol. When legislation providing for construction of the Capitol was enacted, the legislature assumed that part of the convicts could be used in this work and that the remainder employed in the regular prison industries could produce enough revenue to maintain the entire prison. The original theory was that work on the Capitol should be treated as a contribution, as no arrangements were made for compensating the prison for the labor. In fact, it was first assumed that the prison was so prosperous it would be able to make some cash contributions from its annual earnings and from the proceeds of the sale of excessive inventories in manufacturing materials.⁷⁸

At first officials protested rather mildly that the diversion of so many convicts to the new labors was "productive of considerable embarrassment" to the manufacturing program,⁷⁹ but the change was made, and for some years more than half the convicts were employed on the Capitol project. The extent of the diversion is summarized in Table II.

TABLE II
TOTAL PRISON POPULATION AND NUMBER ENGAGED
IN WORK ON THE STATE CAPITOL, 1845-57.^a

Sept. 30	Prison Population	No. Working on Capitol	Maximum for Other Work
1845	189	47	142
1847	195	120	75
1849	192	120	72
1851	214	133	81
1853	240	120	120
1855	240	96 ^b	144
1857	286	136 ^b	150

^aDerived from biennial reports of prison agents.

^bEstimated. The reports do not show what proportion of the convicts engaged in stone cutting were working on the Capitol.

Prison officials were not inclined, however, to treat the work on the Capitol as a contribution; instead, they estimated the value of the labor and recorded it as a charge against the Capitol commissioners. Furthermore, they overlooked no opportunity to remind the legis-

⁷⁸Prison authorities succeeded in making cash contributions of \$11,000 toward construction of the Capitol during the four years 1843-47. This was in addition to the labor of the convicts.

⁷⁹Report of the inspectors, *House Journal*, 1847-48, Appendix, 117.

lature that the prison was receiving no pay for the work, or that it was not being compensated in full. For some years the legislature adhered to the original idea, but in 1851 a legislative committee reported, after careful examination, that the plan had broken down, and that it would be necessary to appropriate funds for prison operating expenses.⁸⁰ Until 1855 such appropriations were made directly out of the state treasury, but in that year the burden was shifted to the State Capitol. Under the new legislation the commissioners for the State Capitol were required to audit the accounts of the prison to determine the value of the work done during the period from October 1, 1855, to March 1, 1856, and to pay the prison the sum so determined.⁸¹ Thereafter, the commissioners were to audit the accounts monthly and pay, not the full amount, but only one-fourth.

Such an arrangement was obviously a make-shift, and resulted in further confusion and dispute. Since no provision was made for compensating the prison for work done prior to October 1, 1855, prison authorities continued to claim large credits. Furthermore, no standard was established for computing the value of current work, thus opening the way for argument between prison authorities and the commissioners for the Capitol. As construction of the Capitol dragged on the commissioners were subjected to severe criticism for the great expense incurred and they were naturally quite anxious to reduce the claims being made upon them by the prison. Under such conditions the discrepancy between the estimated value of the work as computed by the two agencies verged on the absurd. According to prison records, the value of work done on the Capitol up to October 1, 1857, was \$363,072.12, but by the commissioners' reckoning it was worth only \$91,200, or slightly more than one fourth as much.⁸² Even on the basis of their own figures the Capitol commissioners had little reason to complain, for during this period they were required to pay the prison only \$41,222.30, or about forty-five per cent of what they admitted as reasonable.⁸³

⁸⁰*Senate Journal*, 1851-52, Appendix, 250.

⁸¹*Acts*, 1855-56, Chapter 127, Section 3.

⁸²"Report of the Commissioners for the Erection of the State Capitol," *House Journal*, 1857-58, Appendix, 279.

⁸³The Capitol commissioners argued that the prison should have based its charges on the average annual cost of supporting the convicts employed on work for the Capitol, which they gave as \$76.00 per convict. This figure was taken from Dr. John S. Young's computations of 1845, and thus made no allowance for any change in prices over the period. Prison officials apparently based their estimates on what might have been earned if the convicts had been used in preparing stone to be sold by the prison.

It would be desirable, if possible, to reconstruct prison financial statements to conform to accounting practices now used in business. This cannot be done, simply because the required information is lacking. For example, there is no way of determining how the balance sheet figures for raw materials and finished goods were computed, nor is it possible to check the credits allowed for convict labor used in constructing and repairing prison property. Such items may have been figured conservatively or deliberately inflated to make a favorable showing. It appears that no depreciation was charged on manufacturing tools and equipment, but even this is uncertain. With respect to notes and accounts due the prison, we know that such items were carried on the books long after they were known to be worthless.⁸⁴

In the absence of technically accurate book accounts, it is necessary to resort to cash statements. How much cash was paid out of the state treasury for construction and maintenance of the prison, and how much was returned from prison sources? The difference between these two sums will provide some indication, at least, of the cost to the taxpayer. The results are shown in the following table:

TABLE III
CASH TRANSACTIONS BETWEEN THE STATE
TREASURY AND THE PRISON, 1831-59

I. Payments from the Treasury

A. For capital outlays

1. Construction of the first prison	\$53,557.77
2. Construction of new cells, 1853-54 ^a	20,000.00
3. Rebuilding after fire, 1855-56	22,000.00
4. Construction of new cells, 1857-58	9,842.05
5. Purchase of rock quarry, 1857-58	14,000.00

Total	\$119,399.82
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B. For maintenance and operation

1. During initial period, 1831-37	20,109.97
2. During period of State Capitol construction, 1844-59	75,000.00

Total	\$95,109.97
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^aThe \$20,000 expenditure for new cells under legislation of 1853-54 was paid from an appropriation for the State Capitol, and was usually treated as a payment by the State Capitol commissioners.

⁸⁴This is admitted in successive reports of the prison agents from 1853 to 1857, inclusive.

C. For work done on State Capitol	
(from Capitol commissioners)	
1. 1855-57	21,222.30
2. 1857-59	8,728.06
Total	\$29,950.36
II. Payments from the Prison to the Treasury	
1. Excess prison earnings, 1839-41	5,333.33
2. For construction of State Capitol, 1843-47	11,000.00
Total payments from the Treasury	\$16,333.33
(A, B, and C)	244,460.15
Total payments from Prison to Treasury	16,333.33
Net cost for all purposes	\$228,126.82
Total payments for maintenance and	
operation (B and C)	125,060.33
Total payments from Prison to Treasury	16,333.33
Net cost for maintenance and operation	\$108,727.00

Considered strictly on a cash basis the prison failed to meet operating costs by \$108,727 during the years 1831 through 1859. However, for more than half this period, i.e., from 1844 to 1859, approximately half the convicts were employed on a job for which the prison received very little pay. Up to September 30, 1859, prison authorities had charged the Capitol commissioners at least \$381,000.⁸⁵ Even if we assume that this work was figured at double its market value, prison authorities were entitled to receive \$190,500 as compared with the \$49,950.36 actually received from the Capitol commissioners. This difference of approximately \$140,000 would have eliminated the operating deficit completely and would have reduced the over-all cost or deficit to approximately \$88,000.

The extent to which prison finances were affected by diverting prison labor to the Capitol may be shown more clearly by considering separately the two stages of prison history. Up to 1847 the treasury paid out \$20,109.97 for prison operating expenses, all of which was paid prior to 1837, while prison industries were being established.

⁸⁵The exact amount cannot be determined since the amount charged for the three months October 1—December 31, 1857, is not reported. With this included the total would probably reach \$390,000.

During the same period, the prison paid \$16,333.33 into the state treasury, leaving an operating deficit of only \$3,776.64 for the manufacturing or industrial period. If the prison was a vampire on the treasury, as claimed by a state comptroller, it can be attributed mainly to the use of convicts on the State Capitol, rather than to the industrial division.

A further comment should be made about the methods used in computing prison profits or deficits. In practically all discussions, the cost of conveying convicts to prison was treated as a prison cost, although this item was invariably paid out of the state treasury, rather than by the prison.⁸⁶ Those who included it as a prison cost looked upon it as a new or additional expense which appeared only after the state set up the state prison and removed prisoners from control of local governments; the penitentiary would not really be self-supporting unless it earned enough to offset this item. The table shown above excludes the cost of conveying prisoners; if it is a legitimate charge against prison operations, why not include also the court costs incurred in securing conviction?

GENERAL SUMMARY

Considering the handicaps it faced, the prison was moderately successful in a financial way during the first fifteen years of its existence. In spite of vigorous opposition from labor groups, prison officials succeeded in establishing a diversified program of handicraft and manufacturing industries. Probably the greatest weakness of the institution, on the business side, was the lack of a well developed marketing organization. A poor location, plus the lack of transportation facilities, made the marketing problem doubly difficult, but since the agent or keeper had full responsibility not only for internal management and discipline but also for the direction of the work program, he could not have had much time to devote to the development of sales policies. The difficulty of finding ready markets probably accounts for the extensive sales on credit, which ultimately resulted in rather heavy losses. Furthermore, the legislature was rather niggardly with appropriations for expansion and refused to provide adequate space for the industrial program.

The use of convicts to assist in the construction of the State Capitol was influential in quieting complaints against unfair competition. On the financial side, however, it led to confusion and intermin-

⁸⁶This item was included by Governor Johnson, by the legislative committee of 1885, and by Governor Bate, in presenting their respective conclusions.

able dispute. There is little question that the value of the prison labor performed was far in excess of the payments received out of Capitol funds. The policy of making direct appropriations from the state treasury, a policy that was followed from 1849 to 1855, not only concealed the real cost of the State Capitol, but made it possible for critics to complain that the prison was not paying its way.

The extreme concern with the revenue aspects of the prison, a concern that was constantly expressed both in administrative and legislative quarters, was decidedly unfortunate, for it effectively prevented the development of sound programs for reformation and training of the prisoners. There is little indication of any attempt to select occupations that would fit prisoners for productive work after their release. The idea that the prison must, above all else, be self-supporting, was firmly established through constant repetition and was carried over intact into the period following the Civil War.

ANDREW JOHNSON AS A MEMBER OF THE COMMITTEE ON THE CONDUCT OF THE WAR

By HARRY WILLIAMS

In an atmosphere of gloomy despondency the Thirty-seventh Congress opened its second session in December, 1861. The preceding months had seen the secession from the Union of eleven southern states, the beginnings of civil war, and the failure of the government's attempts to subdue the Confederacy by force of arms. Within the dominant Republican party, a bitter factional struggle threatened to disrupt the administration of Abraham Lincoln. The extreme wing of the party, the "Radicals," men like Thaddeus Stevens, Charles Sumner, Benjamin F. Wade, and Zachariah Chandler, were in direct and angry disagreement with the leadership of the President. Ardent and long-time foes of the slavery system, the Radicals expected upon the outbreak of war that the administration would adopt an emancipation policy aimed at the offending South. But Lincoln, fearful of the effects of such a measure upon northern conservatives and the loyal border states, proclaimed that the war was being waged for the one purpose of restoring the Union. The disappointed Radicals seethed with sullen irritation as the President almost ignored the subject of emancipation and filled the important military positions with conservative Democratic officers. They resented in particular the secrecy with which the masters of the army shrouded their plans for the future.¹

The radical chieftains were resolved to force the administration onto anti-slavery ground. But they felt that they could not initiate a struggle without definite information concerning the intentions of the President and his military advisers. Were the generals planning an early forward movement? Was the inactivity of the armies the result of a secret sympathy for the South on the part of Democratic commanders George B. McClellan, Henry Halleck, and Don Carlos Buell? Why did the military authorities return fugitive slaves to their

¹For examples of Radical condemnation of Lincoln, see E. L. Pierce, *Memoir and Letters of Charles Sumner* (Boston, 1894), IV, 38-39; *Congressional Globe*, 37 Cong., 2 Sess., 78, speech of Representative T. D. Eliot; Thaddeus Stevens to G. Smith, December 14, 1861, Thaddeus Stevens MSS. (in Library of Congress); Senator James W. Grimes to Mrs. Grimes, November 6, 13, 1861, William Salter, *James W. Grimes* (New York, 1876), 153-154, 156-157; *National Anti-Slavery Standard* (New York), December 14, 1861; J. H. Bryant to Lyman Trumbull, December 5, 1861, Lyman Trumbull MSS. (in Library of Congress); George W. Julian, *Speeches on Political Questions* (New York, 1872), 202-204.

masters? The suspicious Radicals wanted the answers to these questions. They determined to establish a congressional investigative committee which could probe the secrets of army administration, supply the Radical cabal with reliable reports, and act as the faction's representative in conferences with Lincoln. Soon after Congress convened, the Radicals pushed through a resolution creating a joint committee endowed with broad powers "to inquire into the conduct of the present war." The speeches of the sponsors of the measure bristled with hostility toward the administration, which was censured for inefficiency in the direction of the war. The proposed committee, predicted one senator, would "keep an anxious, watchful eye over all the executive agents who are carrying on the war. . .", while another declared that in the future Congress would not be "easy" with the errors of military men.²

Thus was born the famous Committee on the Conduct of the War which was to exercise a potent and dramatic influence in the councils of the government for the next three years. The committee was, in the bold words of its chairman, more than a mere investigative body: it was an agency to "ferret" out any delinquency in the prosecution of the war, "apprise the administration of it, and demand a remedy."³ The committee was a constant and irritating thorn in Lincoln's side. It investigated the principal military campaigns, strove to undermine officers opposed to the radical war aims, interfered with the plans of commanders, and tried to bully Lincoln into accepting the radical program.⁴

From the beginning, the Radicals dominated the membership of the committee. The chairman, Senator "Bluff Ben" Wade of Ohio, Senator Zachariah Chandler of Michigan, Representative George W. Julian of Indiana, John Covode of Pennsylvania, and Daniel Gooch of Massachusetts were leading figures in the Radical faction. The Democratic members were Moses F. Odell of New York from the House and Senator Andrew Johnson of Tennessee. Johnson played a unique role in the history of the committee. He was the only Democratic member of the Senate to enjoy the confidence of his radical colleagues and to take a prominent part in the work of the committee. Johnson resigned from the committee in March, 1862, to be-

²*Cong. Globe*, 37 Cong., 2 Sess., 16-17, 29-32.

³Benjamin F. Wade, *Traitors and their Sympathizers* (Washington, 1863), 2.

⁴The reports and testimony of the committee fill eight volumes, *Reports of the Committee on the Conduct of the War*, hereafter cited as *C.C.W.* For a description of the committee at work, see Harry Williams, "Fremont and the Politicians," *Journal of the American Military History Foundation*, II (1938), 179-191.

come military governor of Tennessee. The Radicals disregarded his three Democratic successors, who rarely attended a committee meeting, were not apprised of important decisions made by the Republican members, and exercised no influence in the deliberations of the agency.⁵ Johnson, on the other hand, engaged actively in the committee's investigations, in close cooperation with the Radicals. Even after his resignation he maintained an interest in the committee's labors. When he became president in 1865, the committee descended upon him with welcoming arms, convinced that their former associate would espouse the radical plan for the reconstruction of the South.

Undoubtedly the Radicals selected Johnson for service on such an important committee because of his outstanding record as a War Democrat. In December, 1860, he had made his famous Union speech in the Senate which brought him the plaudits of Republicans and the epithets of the southern hot-spurs.⁶ He continued to uphold the cause of the Union, while denouncing secession in the strongest terms and demanding that force be used against the Confederacy.⁷ The Republicans heard his vigorous speeches with high approval.⁸ In July, 1861, in the special session of Congress, he declared his approval of Lincoln's call for volunteers and the measures taken by the President to suppress the rebellion. He announced that during the nation's crisis he would forget previous party ties.⁹

Johnson welcomed his assignment to the committee, because he hoped to use his position on this powerful agency to prod the government into sending an army to expel the Confederate forces which occupied his beloved East Tennessee. His friends and neighbors, many of whom had fled their homes at the approach of the southern army, continually besought Johnson to make his influence felt with the military authorities that East Tennessee might be freed from southern rule. Many of them criticized the administration for failing to render military assistance to their section. "I think the

⁵Johnson was followed on the committee by Joseph Wright of Indiana, Benjamin F. Harding of Oregon, and Charles Buckalew of Pennsylvania. Odell, a War Democrat, remained a member until the committee terminated its existence in 1865. He played an active part in its labors.

⁶*Cong. Globe*, 36 Cong., 2 Sess., 116-143; R. W. Winston, *Andrew Johnson, Plebeian and Patriot* (New York, 1928), 165-168; G. F. Milton, *The Age of Hate: Andrew Johnson and the Radicals* (New York, 1930), 103; E. M. Coulter, *William G. Brownlow, Fighting Parson of the Southern Highlands* (Chapel Hill, 1937), 146.

⁷George W. Julian, *Political Recollections, 1840-1872* (Chicago, 1884), 189.

⁸*Cong. Globe*, 36 Cong., 2 Sess., 1351; Winston, *Johnson*, 179-185.

⁹Winston, *Johnson*, 212-215. Another probable cause of Johnson's appointment to the committee was the fact that he and Wade had long been associated as supporters of a homestead bill.

'unknown policy' of the administration is daily weakening the union men," wrote I. Fowlkes to Johnson. Fowlkes feared that the state would become reconciled to secession, because there was "something fixed & definite South; while all is doubt hesitation & uncertainty with our Northern friends."¹⁰

J. H. Jordan bitterly denounced the "neglect or delay, on the part of the Government, in sending arms and assistance into East Tennessee."¹¹ R. I. Staples informed Johnson, "We need help and must have it or we are lost."¹²

Johnson worked vigorously for the redemption of East Tennessee. In June he went to Washington to make a personal appeal to Lincoln, who became impressed with the necessity of sustaining the strongest Union region in Tennessee.¹³ The Senator, in cooperation with Horace Maynard, maintained a constant pressure upon the War Department and the generals to move a force into his section.¹⁴ He visited the army camps in Kentucky where recruits, many of them from East Tennessee, were receiving military instruction. To these men he spoke cheerfully of the coming liberation of their homes and families.¹⁵ Early in December he and Maynard addressed a strongly worded letter to General Don Carlos Buell, commander of the Army of the Ohio, demanding military assistance for the hard pressed people of East Tennessee.¹⁶

But Johnson's efforts to stimulate a forward movement were fruitless. Buell insisted his situation was too hazardous to risk throw-

¹⁰Fowlkes to Johnson, March 21, 23, 1861, Andrew Johnson MSS. (in Library of Congress). All citations to the Johnson MSS. are to those in the Library of Congress.

¹¹Jordan to Johnson, July 15, 1861, *ibid.*

¹²Staples to Johnson, August 16, 1861, *ibid.* See also C. Bryan to Johnson, July 9, and George Blakely to Johnson, August 22, *ibid.*

¹³Coulter, *Brownlow*, 165; J. W. Fertig, *The Secession and Reconstruction of Tennessee* (Chicago, 1898), 30; Winston, *Johnson*, 218-219.

¹⁴See Johnson to J. P. Wilson, September 4, 1861, Johnson MSS.; Horace Maynard to Johnson, November 13, *ibid.*

¹⁵The military authorities did not always welcome Johnson's presence in the camps. General Schoepf, in command at Crab Orchard, Kentucky, complained to Joseph Holt about "Ex-Gov. Johnson of Tennessee having of late made himself very troublesome about our camp, using language calculated to incite the men and officers of my command to insubordination. . . ." Schoepf to Holt, November 18, 1861, Holt MSS. (in Library of Congress).

¹⁶Letter of December 7, 1861, *Official Records of the Union and Confederate Armies* (Washington, 1881-1901), Series II, Vol. I, 898. The letter declared, "Our people are oppressed and pursued as beasts of the forest. The Government must come to our relief." Buell was in charge of operations in central and eastern Kentucky.

ing a force into East Tennessee.¹⁷ At the same time, and as Johnson assumed his position on the committee, the complaints and criticisms of his constituents redoubled. They denounced the slowness of the western generals, while many believed "the government is either a failure, or it cares nothing for the East Tennesseans."¹⁸ One indignant correspondent urged Johnson to call the army to account. Had the nation, he asked, "no champion in her Legislative halls, who is possessed of moral courage sufficient to lay bare the misconduct of military chieftains, or is the Nation afraid to chastise West Pointers?"¹⁹ J. R. Mott exhorted Johnson "to pitch into all the commanders from Washington to Louisville and see if this masterly inactivity cannot be stopped and something done to save our country from utter ruin."²⁰

As soon as the committee started its investigations, Johnson proceeded to follow the advice of his friends. Numerous officers from the Army of the Potomac, summoned by the committee as witnesses, appeared before the agency to answer its interrogations. To them Johnson addressed the question: Should the armies advance immediately or remain in winter quarters and take the field in the spring? ²¹ His purpose was to place on record a body of military opinion favoring aggressive action which would include as part of its objective the liberation of East Tennessee. Johnson's questions left no doubt but that he considered an early forward movement imperative. He wanted the generals to say that a winter of inactivity would weaken the morale and discipline of the soldiers. "Does not inactivity—remaining in quarters—have a tendency to demoralize troops?" he asked General John A. Dix.²² Johnson felt that the

¹⁷Buell to General G. B. McClellan, *Official Records*, Series II, Vol. I, 901. Some East Tennesseans believed that Buell was a traitor. George Blakely informed Johnson, "If it should be known that Genl Buell is to command I presume he could raise a strong army of traitors as I find he is quite a favorite with them." Blakely to Johnson, August 22, 1861, Johnson MSS. Buell was known as a conservative general who was opposed to a war for emancipation. See M. Warner to Johnson, February 4, 1862, *ibid.*; New York *World*, August 12, 1864; Boston *Traveller*, quoted in New York *Tribune*, May 31, 1862, p. 1; *Ohio State Journal*, quoted in New York *Tribune*, October 13, 1862. Johnson later came to believe that Buell had strong southern sympathies. Johnson to Edwin M. Stanton, April 5, 1864, Edwin M. Stanton MSS. (in Library of Congress).

¹⁸L. C. Houk to Johnson, December 7, 1861, Johnson MSS. See also Elisha Smith to Johnson, December 17, Emerson Etheridge to Johnson, December 19, *ibid.*

¹⁹R. L. Stanford to Johnson, December 31, 1861, *ibid.*

²⁰Mott to Johnson, January 5, 1862, *ibid.* See also Andrew Winter to Johnson, January 14, J. H. Jordan to Johnson, January 24, Elisha Smith to Johnson, February 3, *ibid.*

²¹*C.C.W.*, 1863, I, 116, 129, 142, 154-155, 177, 211-212; *ibid.*, II, 281-282.

²²*Ibid.*, I, 226. See also *ibid.*, 130, 158.

army should initiate some campaigns, such as one into East Tennessee, for other than purely military purposes. When General Irvin McDowell told him that Washington's victory at Trenton in the Revolutionary War possessed more political than military value, Johnson approvingly observed, "There is a political element connected with this war which must not be overlooked."²³

Johnson had definite ideas concerning the prosecution of the war. Like most civilians, he could not understand why the generals talked about the impossibility of fighting the enemy on disadvantageous ground. He believed in compelling the foe to give battle rather than withdrawing from the field.²⁴ Johnson agreed with his colleagues that General George B. McClellan's plan to attack Richmond from the east by way of the peninsula between the York and James rivers promised slight chance of success; he favored an advance southward from Washington in order to protect the capital better.²⁵ The Tennessee Senator, however, had a scheme of his own to subdue the Confederacy. This he put before the generals for their approval.

He proposed to station a defensive force of 35,000 or 50,000 men around Washington. Then he would advance a column toward Manassas, where the Confederates were encamped, and another upon the left of Manassas. Still a third column starting from the York or James rivers or Ft. Monroe would move southward to cut Richmond's railroad connections with North Carolina. "Then we should have the blockade complete clear around Baltimore to Galveston, or approximating completion." A fourth army, held ready in Pennsylvania, Ohio, and Indiana, would then prepare to march into Kentucky and East Tennessee for the purpose of taking possession of the Chattanooga, Nashville, Memphis, and Little Rock railroad. He then summarized the advantages of his plan:

This railroad, beginning at Richmond and running to Lynchburg, and down through Georgia and Alabama, and connecting with several roads running west to Memphis, and down into Mississippi—this railroad and its connections are the great artery, the vital source that keeps this southern Confederacy together. Now, with the Potomac safe; the blockade complete; with the column at Ft. Monroe; with western Virginia all safe; if a column should march into East Tennessee and take a position upon that great railroad, what would prevent us from winding up this southern Confederacy in six months?²⁶

²³*Ibid.*, I, 142.

²⁴*Ibid.*, I, 158, to General F. J. Porter.

²⁵*Ibid.*, I, 142, to General McDowell.

²⁶*Ibid.*, I, 125-127, to General Franklin, December 26, 1861.

The generals were cool toward Johnson's proposal, but he continued to stress its advantages. "I know that military men have their own plans," he told one officer, "and perhaps they are right." But the railroad from Richmond to Chattanooga must be cut before the South could be crushed. A Union army in East Tennessee could easily accomplish this important task. "That would be like taking two or three joints out of a backbone, or shutting our hand upon an artery and stopping the circulation." It would enable the government to "bag the whole Confederacy."²⁷

Johnson worked closely with the Radicals of the committee as they endeavored to dictate to Lincoln his choice of generals and his war policies. His cooperation even extended to the point where he apparently indorsed chairman Wade for reelection to the Senate. The spectacle of the Democratic Johnson supporting the Radical Republican Wade puzzled the former's admirers in Ohio. Of the reported indorsement, one Buckeye Democrat asked Johnson to say "whether the enclosed from Forney, which is just now flooding Ohio, is in consonance with truth and whether you desire the election of Mr. Wade."²⁸ Another Democrat told Johnson he had been informed that Wade was "working faithfully with yourself for the common good of the country," but queried, "Is it consistent to support Mr. Wade or any other man of his political antecedents?"²⁹

During the time that Johnson served on the committee, his Radical colleagues were using all their influence with Lincoln to discredit General McClellan, and, if possible, to secure his removal as general-in-chief of the Union armies. Wade and Chandler believed that McClellan was a traitor who had no intention of using force to crush the Confederacy. This, they thought, was the real reason why the general insisted that his men were not ready for a winter campaign.³⁰ The basis of the Radicals' suspicions of McClellan lay in the fact that before the war he was known as a Democrat. Johnson belonged to the same political faith, yet he joined with the Radicals in their war against McClellan. His action, and his general friendliness with his radical associates, call for explanation.

It must be remembered that Johnson and Odell were Democrats who supported the war. They detested the peace wing of their party,

²⁷*Ibid.*, I, 212-213.

²⁸N. A. Gray to Johnson, March 1, 1862, Johnson MSS.

²⁹F. J. Burrow to Johnson, March 3, 1862, *ibid.*

³⁰For examples of the Radical attitude toward McClellan, see Benjamin F. Wade, *Facts for the People* (Cincinnati, 1864), 2, 6; Julian, *Recollections*, 203-204; Joseph Medill to Edwin M. Stanton, January 21, 1862, Stanton MSS.

the Copperheads, who were led by Clement L. Vallandigham and George Pendleton. Yet they saw McClellan cordially receiving the chieftains of the Peace Democracy at his quarters day after day. They could only conclude that the general had delivered himself over to men whom Johnson and Odell considered little better than traitors.³¹ Furthermore, Johnson soon came to believe that McClellan's friend and favorite, Buell, was not only incompetent but also treasonable.³² Another reason for Johnson's enmity toward McClellan was his fear that the Peace Democrats might become powerful enough to take control of the government. "The Breckenridge element," said one of Johnson's northern friends, was seeking "to stir up an anti war spirit, which may go so far as to cripple the government in the defence of its authority, and the suppression of rebellion."³³ Johnson's correspondents warned that McClellan would be an ideal leader for the peace faction which might make the politically ambitious general the Democratic presidential nominee in 1864. As one of the most prominent Democrats in the nation and a possible candidate for the White House, Johnson did not intend that a man of McClellan's suspected principles should seize power in the party.³⁴ Finally, Johnson distrusted McClellan because of his failure to order an army into East Tennessee. The committee wanted to stir the Union forces into action on all fronts; hence Johnson supported its activities because they promised aid for his people.

The committee opened its campaign against McClellan soon after it started its investigations. On December 31, the members held a conference with Lincoln for the purpose of exploring the military situation.³⁵ A few days later, as they became increasingly convinced that McClellan meant to undertake no forward movement, they

³¹Odell said the meetings between McClellan and the Peace Democrats were a "continuing caucus for the consideration of plans of resistance to all measures which proposed to strengthen the army or the navy; to provide means for their pay, sustenance, the munitions of war, and means of transportation; and to devise means of embarrassing the government by constitutional quibbles and legal subtleties." Quoted in W. D. Kelley, *Lincoln and Stanton* (New York, 1885), 6.

³²Johnson to Edwin M. Stanton, March 29, 1862, Winston, *Johnson*, 235.

³³F. W. Bradbury to Johnson, August 17, 1861, Johnson MSS. See also Benjamin Fuller to Johnson, August 17, 1861, *ibid.*: "If a large party is to arise at the North, opposed to sustaining the Government in all constitutional means to suppress the rebellion, the dreadful consequences are too apparent, and who can say that every Northern state will not become the theatre of those terrific, heart rending scenes which now afflict Missouri, Virginia, & your own State to some extent."

³⁴M. Warner to Johnson, February 4, 1862, Johnson MSS. Many letters in the Johnson collection express the hopes of the writers that Johnson will be the party's candidate in 1864.

³⁵*C.C.W.*, 1863, I, 72.

asked for an interview with Lincoln and his cabinet. The committee, with Johnson in attendance, met the President and his department heads on January 6. Wade, acting as the spokesman, bitingly condemned McClellan for his dilatory policy and demanded that Lincoln order him to advance.³⁶ But the committee's protests failed to persuade Lincoln to interfere with McClellan's plans, and the determined members prepared for another assault. This time they enlisted the aid of Edwin M. Stanton, recently appointed secretary of war. The Radicals, and Johnson and Odell, arranged a series of meetings with Stanton during which they revealed to him the evidence they had secured. They assured him that the army was in fine condition and ready for battle.³⁷ Stanton and the committee then joined to urge the necessity of aggressive action upon Lincoln. Their efforts resulted in the President's orders of January 27 for an advance of all the armies, instructions which McClellan was later permitted to disregard.³⁸

The committee was particularly irritated by McClellan's failure to break the Confederate blockade of the Potomac River. On February 18 Odell moved that the committee use its influence to force McClellan to act. Chandler suggested that the members discuss the matter with Stanton, but Wade objected that this might be construed as a criticism of Stanton's administration. Finally, the committee decided to see the secretary ostensibly for the purpose of congratulating him upon recent Union victories, but actually to use the occasion for a consideration of the blockade.³⁹ Johnson and Wade were selected as the committee's representatives for this important interview. They met Stanton at the War Department the next day. Wade violently denounced McClellan for permitting the siege of the capital, and Stanton replied that he felt the disgrace as deeply as did the committee. During the conversation McClellan came in, and to him Wade repeated his protests. He told the general to take his men over the Potomac, defeat the enemy, or "let them come back in their coffins." Johnson entered the report of this meeting upon the committee's journal:

Mr. Johnson stated that the interview with the secretary had been a very satisfactory one; that the secretary listened attentively to all that the chairman said, and although the chairman sometimes made his statements to Gen-

³⁶*Ibid.*, I, 73; Julian, *Recollections*, 201-203; *Cong. Globe*, 37 Cong., 2 Sess., 3390, Chandler's account of the meeting.

³⁷*C. C. W.*, 1863, I, 75; Julian, *Recollections*, 204.

³⁸*Official Records*, Series I, Vol. V, 41.

³⁹*C.C.W.*, 1863, I, 83-84; Wade to Stanton, February 19, 1862, Stanton MSS.

eral McClellan in pretty strong and emphatic language, the secretary indorsed every statement he uttered. The secretary feels as strongly upon this subject as this committee does.⁴⁰

Early in March Johnson began to absent himself from committee meetings. He was becoming increasingly concerned with Tennessee affairs, and at Lincoln's request he accepted the office of military governor of his distracted state. The committee's journal of March 12, 1862, noted that Johnson had resigned his position.⁴¹ Thus he was not with the committee as it continued its attack upon McClellan, as it pushed the fortunes of Radical generals John C. Fremont, Joseph Hooker, and John Pope, as it saw its enemies McClellan and Buell removed from their commands. Yet he maintained an interest in its work, especially when it concerned the object of his fears, McClellan. In the spring of 1863, the Democrats were booming McClellan, now retired from active duty, as a presidential candidate. They pictured him as the able general who would have won the war had he not been thwarted by Republican interference. The McClellan movement began to assume such threatening proportions that the Republicans became seriously alarmed. The committee, with its vast body of information concerning McClellan's administration of the army, was the obvious agency to destroy his political career and to puncture the Democratic claims that he was a military genius. Accordingly, the members plunged feverishly into the work of preparing a report describing McClellan's tenure as commander of the Army of the Potomac. This document, which appeared in April, was a devastating account of McClellan's many delays, his failure to capture Richmond, his alleged treason in not supporting Pope at Manassas, and his inability to bag Lee's army after defeating it at Antietam.⁴² The Republican press hailed the report as an accurate expose of McClellan's generalship and used it as the basis for telling

⁴⁰*C.C.W.*, 1863, I, 84-85; *Detroit Post and Tribune, Life of Zachariah Chandler* (Detroit, 1880), 227-228. On several occasions Johnson disagreed with his Radical associates. When the committee investigated the Bull Run disaster for which the members blamed General Robert Patterson, Johnson moved that the general be permitted to testify in the form of a prepared statement rather than in response to a rigid cross-examination. *C.C.W.*, 1863, II, 52, 53, 78. During the committee's inquiry into the military career of their favorite officer, John C. Fremont, Johnson moved that Frank and Montgomery Blair, enemies of Fremont, be called to testify. *Ibid.*, III, 80.

⁴¹*Ibid.*, I, 89.

⁴²*Ibid.*, 1863, I, "Army of the Potomac." The first volume of the 1863 *Reports* was devoted almost exclusively to McClellan. The report, excluding the testimony, was 66 pages in length.

editorials.⁴³ But the Democrats, who recognized the document's purpose to destroy McClellan's political availability, were almost frantic in their efforts to tear down its damaging statements. The leading organ of the Peace Democracy denounced the report as "a sustained, minute and malignant attack. . . ." ⁴⁴ It is interesting to note that Johnson helped prepare this Republican campaign document. In March he was in Washington on official business. The committee members were working night and day to whip their report into shape. Johnson came to the committee rooms to aid them. Zachariah Chandler, snatching a few minutes to inform his wife that the forthcoming broadside would deal the final blow to McClellan's ambitions, wrote proudly, "The Committee is all here including Gov Johnson of Tennessee."⁴⁵ Here again, as when he was an active member of the committee, Johnson preferred to cooperate with Republicans to prevent a suspected Peace Democrat from dominating his party.⁴⁶

Johnson's final connection, and his last cordial one, with the committee Radicals occurred after he succeeded Lincoln as president. The Radicals frankly rejoiced at Lincoln's death. They had been infuriated by his attempt to reconstruct the South by executive action and along conservative lines. They knew Johnson favorably through his work on the committee and considered his accession "a god-send."⁴⁷ On April 15, a few hours after Lincoln's assassination, the Radical faction caucused to determine the possibility of inducing Johnson to remodel the cabinet and to adopt "a line of policy less conciliatory than that of Mr. Lincoln."⁴⁸ At the same time, the Radical members of the committee, delighted that their staunch comrade of former days was at the head of the government, were discussing methods by which to make themselves his unofficial advisers. They were sure that Johnson would follow their guidance on the reconstruction issue, that "the presence and influence of the Committee, of which Johnson had been a member, would aid the administration in getting on the right track."⁴⁹ But they feared that

⁴³New York *Tribune*, April 6, 7, 1863; New York *Times*, April 6, 7; Detroit *Advertiser and Tribune*, April 8.

⁴⁴New York *World*, April 6, 1863. See also New York *Herald*, April 6, 10, 28; Detroit *Free Press*, April 8, 9.

⁴⁵Chandler to Mrs. Chandler, March 31, 1863, Zachariah Chandler MSS. (in Library of Congress).

⁴⁶McClellan's leading journalistic champions were Copperhead organs such as the New York *World* and the Detroit *Free Press*.

⁴⁷Julian, *Recollections*, 255.

⁴⁸*Ibid.*, 255.

⁴⁹*Ibid.*, 257.

Conservatives in the cabinet might get to Johnson first. Accordingly, Wade addressed a letter to Johnson asking for an interview: "I have been instructed by the Committee on the Conduct of the War to inform you that your old associates upon that committee would be pleased to wait upon you at such time as may suit your convenience. They have just returned from the city of Richmond, where they saw and heard many things which they deem it would be well to make known to you at the present time."⁵⁰

Johnson readily agreed to meet the committee on the following day at his temporary quarters in the Treasury Building. It was at this conference that Wade uttered his oft-quoted statement, "Johnson, we have faith in you. By the gods, there will be no trouble now in running the government." Johnson's conversation "cheered" the committee. He was in that vindictive frame of mind that made his early pronouncements on reconstruction seem so radical. His vigorous declaration that treason and traitors must be punished convinced the members that he was one of them. Wade approvingly advised him to hang a baker's dozen of the rebel leaders.⁵¹ The encouraged Radicals returned from the meeting to record in the committee's journal that they had "waited upon the President yesterday, and had an exceedingly satisfactory interview with him."⁵²

The committee continued to keep themselves at Johnson's side and to influence his policies. The elated Wade reported to the Radicals that the President had condemned the civil government set up by Lincoln in Louisiana.⁵³ Wade believed he had convinced Johnson that reconstruction should be delayed until Congress met, but he could not persuade the President to expel the Conservatives from his cabinet. "... But I have great faith in Mr. Johnson," he assured Benjamin F. Butler, "and believe he is entirely sound on all these subjects; yet I shall never feel safe while he submits to such surroundings."⁵⁴ The Radicals feared that Johnson might ask Secretary of War Stanton to resign from the cabinet, but the committee dispelled their alarms and those of Stanton. One of Stanton's friends after talking with Gooch of the committee, informed the

⁵⁰*C.C.W.*, 1865, I, xxxvi.

⁵¹Julian, *Recollections*, 257; *Detroit Post and Tribune*, *Life of Chandler*, 280-282; A. G. Riddle, *Benjamin F. Wade* (Cleveland, 1886), 268.

⁵²*C.C.W.*, 1865, I, xxxvi. Wade, Chandler, Gooch, and Julian composed the committee at this meeting.

⁵³Charles Sumner to F. W. Bird, Pierce, *Sumner*, IV, 241.

⁵⁴Wade to Butler, *Private and Official Correspondence of General Benjamin F. Butler During the Period of the Civil War* (privately issued, Norwood, 1917), V, 617-618.

worried Secretary "that the Committee on the Conduct of the War who are supposed to have influence with him [Johnson] 'were a unit in their desire that no change should be made in the office you hold and that they should probably address him to that effect.'"⁵⁵

Meanwhile Johnson continued to strike the radical note in speeches to visiting state delegations, to a chorus of approval from the Radical press.⁵⁶ While the faction's leaders enjoyed the denunciations of treason in these addresses, they were becoming restless at Johnson's failure to announce his support of the Radicals' plan for the national government to grant the suffrage to the Negroes. On May 12 the Radicals held a caucus at the National Hotel at which Johnson's sincerity was questioned. Wade, however, assured the gathering that the President was sound and that he favored giving the Negro the ballot.⁵⁷ But even Wade was beginning to suspect that the committee had lost its hold upon Johnson. Two days later he observed that the President "talks first rate, but don't just say the word."⁵⁸

Johnson's break with the committee and the Radicals was approaching completion. Although he might talk of punishing the Bourbon leaders of the South, Johnson could have no real sympathy with the radical program of Negro suffrage conferred by the national government and political favors extended to northern industrialists. Fundamentally, he was a representative of the small white farmer class and an advocate of the Jeffersonian doctrine of states' rights. Indeed his split with the Radicals might have come sooner had it not been for the influence which the committee exerted with him. On May 29 he issued an amnesty proclamation and also his proclamation establishing civil government in North Carolina, which was followed by similar documents for the remaining unreconstructed states.⁵⁹ The Radicals objected heartily to Johnson's plan of reconstruction as outlined in the proclamation for North Carolina, even though it was very similar to the Wade-Davis bill which they had

⁵⁵J. H. Clifford to Stanton, April 25, 1865, Stanton MSS.

⁵⁶*New York Independent*, April 27, 1865; *Frank Leslie's Illustrated Weekly Newspaper* (New York), May 6, 1865.

⁵⁷Julian, *Recollections*, 263.

⁵⁸J. W. Schaffer to B. F. Butler, May 14, 1865, quoting Wade. *Butler Correspondence*, V, 619.

⁵⁹J. D. Richardson, *A Compilation of the Messages and Papers of the Presidents, 1789-1897* (Washington, 1896-1899), VI, 310-314, the amnesty proclamation and the North Carolina proclamation.

supported in the previous year.⁶⁰ But by 1865 the Radicals had moved beyond the Wade-Davis measure. They disliked Johnson's scheme because he made no mention of Negro suffrage and because he assumed that reconstruction was the business of the president rather than of Congress.

As Johnson carried forward his activities for the restoration of the southern states, Wade abandoned him to the Conservatives.⁶¹ In the fierce partisan struggles of the next few years, Johnson had no more determined or relentless foes than his once friendly associates of the committee, Wade, Chandler, and Julian.

⁶⁰For pertinent comments on the similarity between Johnson's plan and the Wade-Davis bill, see W. B. Hesseltine, *A History of the South, 1607-1936* (New York, 1936), 592. The machinery for readmission of a state set up by Johnson resembled the Wade-Davis plan more than it did Lincoln's.

⁶¹Wade to Butler, July 19, 1865, *Butler Correspondence*, V, 641-642.

BRANCH BANKING IN TENNESSEE SINCE THE CIVIL WAR

By Claude A. Campbell

Branch banking in Tennessee since the Civil War has been very different from what it was before the war. Prior to the war parent banks and their branches supplied the major portion of the state's banking facilities and in effect dominated its banking system. Generally the state owned stock in these institutions and participated in their management.¹ Since the war the number of banks with branches has been relatively small and the state has owned no stock in them. The national banking and the federal reserve systems have exercised considerable influence upon branch banking in Tennessee as elsewhere.

Branch banking had practically no place in the banking structure of Tennessee between 1865 and 1914. For many years after the Civil War private capital was too scarce in the state to permit the establishment of banks having large capitalizations. Article II, section 31, of the constitution of 1870 prohibited the state from becoming "the owner in whole or in part of any bank."² Since a relatively large amount of capital was essential for carrying on branch banking, therefore, these conditions virtually precluded the establishment of state banks having branches. However, there were neither constitutional nor statutory provisions either restricting branch banking or making it illegal.

On March 3, 1865, an amendment to the National Banking Act of June 3, 1864, prevented national banks from having branches except in the cases in which certain state banks having branches became national banks, prior to July 1, 1865. These institutions could

¹C. A. Campbell, "Branch Banking in Tennessee Prior to the Civil War," East Tennessee Historical Society's *Publications*, No. 11 (Knoxville, 1939), 34-46.

²In 1874, John C. Burch, state comptroller, recommended "as a measure of revenue, the re-establishment of the bank of Tennessee, with branches suitably located in the three divisions of the state." In order to make this possible he proposed an amendment to the constitution which would have permitted the establishment of another state owned bank with branches. He planned for the state to issue \$5,000,000 in bonds, which "it could sell at ninety percent." This would have produced \$4,500,000 for capital stock against which the state could issue notes to the amount of \$13,500,000 on the basis of three dollars circulation to one dollar of capital. (Burch thought that the United States Supreme Court would declare the ten per cent tax on state bank notes unconstitutional.) This scheme did not materialize, however, as the public was not ready to renew its experience with state banks. Tennessee *House Journal*, 1874, Appendix, 25-29.

retain their branches.³ Since Tennessee had no state banks with branches at this time, however, this provision had no effect upon the state's banking system.

In 1913 the legislature of Tennessee passed a general banking act captioned "A General Act relating to Banks and banking; creating a banking Department of the State of Tennessee, and through this department regulating, examining, controlling and supervising banks and banking and liquidation of banks; providing means and agencies for carrying out the provisions hereof, and providing penalties for violation of this Act" which tacitly recognized the existence of branch banking in the state through its provision that branch banks or additional offices, like unit banks, should pay fees for the maintenance of the Department of Banking. This measure neither specifically prohibited nor authorized the establishment of branch banks. The law merely took cognizance of the fact that branches existed and would probably continue to exist by reason of the fact that it levied fees for the support of the Department of Banking upon them.⁴ On January 6, 1914, not long after the newly organized Department of Banking began to function, it issued its first bulletin on the condition of the state banks in Tennessee. Among other things, it pointed out in this publication that there were at that time five state branch banks.⁵

The passage of the Federal Reserve Act in 1913 apparently provided an indirect incentive for the increase of branch banking in Tennessee. It imposed various restrictions upon the operations of national banks which placed them somewhat at a disadvantage in competing with state banks. This led not only to the conversion of some national banks into state banks but also to the establishment of branches by various state banks.⁶

Subsequent to the passage of the Federal Reserve Act the Federal Reserve Banks of Atlanta and St. Louis in the sixth and eighth federal reserve districts respectively established branch banks in Nashville and Memphis. These two branch banks differed from other branch banks in the state in that they were of course merely "bankers' banks."

From 1914 to 1925 there was an almost continuous growth in

³*U. S. Statutes at Large*, XII, Ch. LXXVIII, 469-87.

⁴*Tennessee Public Acts*, 1913, Ch. XX, 192-219.

⁵Tennessee Banking Department, *Bulletin*, No. 1, January 6, 1914. Since these five state branch banks were in operation prior to January 6, 1914, it seems improbable that they came into existence after the passage of the Federal Reserve Act on December 23, 1913. There is available, apparently, no data which makes it possible to tell exactly when they were organized or where they were located.

⁶C. H. Wetterau, vice-president, The American National Bank, to C. A. Campbell, July 18, 1938.

the number of branch banks in Tennessee as in the nation at large. Following the wave of bank failures that swept over the country in 1921, branch banking in Tennessee as in the rest of the country increased at a rapid pace. The fact that there was no law prohibiting or restricting branch banking in Tennessee prior to 1925⁷ left individual state banks entirely free to follow their wishes in developing branch systems. Therefore the increase in state banks having branches was comparatively rapid throughout this period. During this time also two additional offices, or "tellers' windows"⁸ of national banks came into existence in Tennessee. Even though the Bank Consolidation Act of 1918,⁹ the regulation of the comptroller of the currency in 1923,¹⁰ and the United States Supreme Court's decision in the case of the First National Bank vs. State of Missouri¹¹ in 1924 in effect enlarged the possible scope of branch banking by national banks,¹² they could not compete successfully with state banks. Consequently, there was to some extent a feeling of unrest and uneasiness among the national banks in Tennessee.

⁷From 1875 to 1913 state banks were incorporated by separate charters in the same manner as other corporations under the law entitled "An Act to provide for the organization of Corporations" which was passed in 1875. *Public Acts*, 1875, Ch. CXLII, 232-64. Since 1914, however, any corporation, firm or individual desiring to "commence the transaction of business as a bank" in Tennessee has had to submit its affairs to an examination by the superintendent of banks. If he finds that the applicant or applicants have fulfilled the requirements of the law regulating the incorporation of banking establishments, he then issues a certificate authorizing them to operate a banking business. *Public Acts*, 1913, Ch. XX, Sec. 24.

⁸"Tellers' windows," or additional offices, were offices of a banking institution located at some convenient place in the same town as the parent institution in order to render more adequate services to the bank's customers. They were not subject to all of the various restrictions imposed upon branch banks, as for example, those concerning capital, surplus, and reserves. While they could not carry on all of the banking activities that state branch banks could, they could cash checks, receive deposits, and perform certain other limited functions.

⁹*Statutes at Large*, XL, Ch. CCIX, 1043-44. This act permitted state banks having branches to retain them but not to acquire additional ones, if they were converted into national banks.

¹⁰*Federal Reserve Bulletin*, November, 1923, p. 1197. This allowed national banks to establish branch offices and/or tellers' windows within the "limits of the city, town, or village" in which their home offices were located.

¹¹263 U. S., 640. The Court held in this case that national banks could not have branch banks but did not rule upon the question of additional offices and therefore by implication permitted them.

¹²For example, the American National Bank of Nashville absorbed the Cumberland Valley National Bank on January 20, 1921, and continued to operate it as a "tellers' office." In 1924 it opened the 808 Broadway office. It was not until later that these two offices, along with others ultimately established, were designated as branches. The American National Bank now has ten branches, nine in the city limits of Nashville and one at Old Hickory in Davidson county. C. H. Wetterau, vice-president of the American National Bank, to C. A. Campbell, August 6, 1937, and July 18, 1938; Rand McNally *Banker's Directory* (Chicago, 1939), 1162.

TABLE I

The Number of Branch Banks in Tennessee and in the United States from 1914 to 1924.^a

Year	Tennessee		Total	United States State and National
	State	National ^b		
1914	9	0	9	507
1915	8	0	8	565
1916	13	0	13	626
1917	15	0	15	696
1918	19	0	19	754
1919	18	0	18	857
1920	25	0	25	1,052
1921	30	1	31	1,211
1922	31	1	32	1,602
1923	47	1	48	1,882
1924	52	2	54	2,095

^aThe data for the state branch banks are derived from the semi-annual financial reports in the *Bulletins* of the State Banking Department, 1914-1924. The data for the national branch banks from 1914 through 1923 are derived from a personal letter from Mr. C. H. Wetterau, vice-president, The American National Bank, Nashville, July 18, 1938. The data for the national branch banks of 1924 are from the *Report of the Comptroller of the Currency*, 1933, p. 11. The data for the branches in the United States are from the *Federal Reserve Bulletin*, December, 1924, X, 935. Since no account is taken of the branches which may have been established and discontinued prior to June, each year, the cumulated totals in this tabulation (branch banks in the United States) may be assumed to be understatements rather than overstatements of the number of branches in operation in any given year.

^bThese national branches were technically additional offices or tellers' windows rather than branch banks.

Until shortly before 1925, there was apparently little if any active opposition to branch banking among those operating either national banks or state unit banks in Tennessee.¹³ It seems that this situation

¹³The Tipton County Farmers Union Bank of Covington established branches at Alamo, Dresden, Henning, Humboldt, Ridgely, and also Stanton between June, 1917 and November, 1919. D. D. Robertson, superintendent of banks, to C. A. Campbell, August 9, 1937. The setting up of this, the largest branch banking system in the state at that time, seemingly aroused little or no antagonism among those operating unit banks. According to Peter Fyfe, president of the Tipton County Farmers Union Bank, to the writer, August 14, 1937, "...our only reason for establishing branches was for the profit, not alone the profit arising from increased business at additional banking points through a branch banking system, but a profit in the long run because of a diversity of interests, both agricultural and industrial. If one normal activity, such as a cotton crop in our section is subject to the risks of production and price, the element of risk is reduced to the extent that operations are broadened to include other either neighboring activities, such as the important truck crops in Gibson County, and likewise tobacco, livestock and sweet potatoes in Dresden. This diversification brings in funds from one point when there may be a brisk demand for loans at another point.

"Our operations have been quite profitable, and the limited system of branch banking practiced by us has been entirely satisfactory."

changed, however, when the Commerce Union Bank of Nashville began the creation of the largest branch banking system in the state by establishing branches in numerous small towns in the surrounding trade area.¹⁴

Eventually some of those in control of national banks and some of those operating state unit banks united to bring pressure to bear upon the legislature to limit branch banking in the state. As a result of this agitation, certain members of the legislature¹⁵ introduced bills in both houses so amending Chapter XX of the *Public Acts* of the General Assembly of 1913 as to impose a territorial restriction upon branch banking. Small minorities in each house made determined but largely ineffectual fights against the proposals to limit branch banking.¹⁶ Since the content of the respective bills was similar, the House subsequently substituted the Senate bill for its own. This measure became a law on April 6, 1925. It stipulated, among other things,

That this Act shall not apply to branch banks, offices or agencies now maintained and operated by any corporation, firm or individual doing or

¹⁴Between May 22, 1923, and January 15, 1925, the Commerce Union Bank of Nashville found it profitable to establish branches at 821 Broadway, Nashville, and in Camden, Columbia, Gallatin, Lawrenceburg, Lebanon, Murfreesboro, Sparta, Springfield, and Woodbury. "Statement of Condition of Commerce Union Bank and Broadway National Bank," Nashville, Tennessee, June 30, 1938.

"The motives that prompted the branch office system were—that through a well-organized, closely-knitted organization that we could render to the territory we serve unparalleled service to the various communities, which would include all the advantages and combined experience of the officers of the parent bank as well as the officers in charge of the out-of-town offices. In this respect many forward steps have been taken by us to improve our service facilities.

"Too, we thought that, through our branch office system (with larger capital and broader facilities) we would be able to take care of large loans to individuals, businesses, towns and counties, which would promote and encourage business in our territory. We thought that our credit facilities would prove beneficial to the various communities in which we would operate. This has been proven to be of great assistance.

"We have all advantages of a State chartered institution and through the Broadway National Bank advantages of the National system, which include those of the Federal Reserve system." J. H. Tidman, assistant trust officer, Commerce Union Bank, Nashville, to C. A. Campbell, August 19, 1937; Rand McNally *Banker's Directory* (1939), 1162.

¹⁵Senators Vincent of Coffee, Bedford, and Moore counties, Whitfield of Montgomery and Robertson counties, Carothers of Hickman, Williamson, and Cheat-ham counties, Spencer of Dickson, Houston, Humphries, and Stewart counties, and Maiden of Weakley, Obion, and Lake counties introduced the measure in the Senate. *Public Acts*, 1925, Ch. XLVII, 97. Representatives Eubank of Dickson county and Bratton of Obion county "and others" introduced a similar proposal in the House. *House Journal*, 1925, p. 591.

¹⁶*Senate Journal*, 1925, pp. 557, 591, 831, 870, 871, and 1001; *House Journal*, 1925, pp. 679, 853, 1125, and 1126.

carrying on a banking business in the State of Tennessee in places other than the County of this State wherein such banking business is carried on.¹⁷

It provided further,

That no corporation, firm or individual now or hereafter doing or carrying on a banking business in the State of Tennessee shall have, maintain, create or operate any branch bank, office or agency, for the purpose of receiving checks, making loans or receiving or discounting bills or notes in any place other than the County of this State wherein such banking business is carried on.¹⁸

Thenceforth, branch banking in Tennessee pursuant to the legislative act of 1925 could not transcend county lines. The inter-county branch banking systems already in existence, however, were free to continue their business as usual.¹⁹

The Commerce Union Bank of Nashville, which was operating the largest branch banking system in the state, found this condition of affairs highly distasteful. Consequently, the officials of this institution decided to test the constitutionality of the act restricting branch banking. They made a contract to take over the Portland Bank located in Sumner county and operate it as a branch of the Commerce Union Bank. This matter came to the attention of the state supreme court in the case of "*Warren et al. vs. Commerce Union Bank*" in which the complainants maintained that this agreement was "illegal and invalid" in the light of the probable judicial interpretation of the act of 1925.

The defendant, Commerce Union Bank, demurred to the bill for several reasons. It contended that the contract and conditions of taking over the Portland Bank were legal and valid because the branch banking act of 1925 did

not prohibit a bank from thereafter starting and conducting a general banking business in any county in Tennessee other than in a county or counties wherein it has theretofore carried on a banking business, but simply prohibits a bank from thereafter creating and maintaining any branch office or agency in some other county for the purpose of doing a partial banking business. . . .

It took the position that since the act of 1925 did not mention the "principal office" or refer to the county in which it was located, it merely prohibited a bank from opening a branch or "partial banking business" in any county in which it had not previously been operating

¹⁷This provision was an amendment which the Committee on Finance, Ways and Means wrote into the bill. *Senate Journal*, 1925, p. 870.

¹⁸*Public Acts*, 1925, Ch. XLVII; *Code of Tennessee*, 1931, secs. 5949 and 5950.

¹⁹*Federal Reserve Bulletin*, July, 1932, XVIII, 457-58.

a bank. In view of the fact that the Commerce Union Bank had been carrying on a banking business at Gallatin, the county seat of Sumner county, since prior to April 6, 1925, therefore, it could legally establish a branch at Portland. Finally, the defendant claimed for good measure that the act was so vague and indefinite as to preclude the possibility of legally ascertaining its true meaning and therefore of intelligently administering and enforcing it.²⁰

The court denied these contentions and ruled that the Commerce Union Bank could not establish a branch at Portland or in any other county except Davidson, the county in which the parent bank was located. The court said:

We think the above language [the language of the act of 1925] is clear and unambiguous, and expressly prohibits the creation of any "branch bank, office or agency" even though such branch does a banking business in any place "other than the county of this state wherein such banking business is carried on." The words "the county of this state wherein such banking business is carried on" unquestionably refer to the principal office of the bank. It contemplates the limitation of branch banks to one county only: that county being the one where the bank is carrying on its business. It is a matter of common knowledge that the branch banks are the exception, and not the general rule and the above language of section 3 in so far as these exceptional institutions which maintain branches are concerned will be considered by the court to refer to the principal office of such institution.²¹

According to this interpretation, the purpose of the act was to stop the practice of a parent bank establishing new branches in outlying counties and thereby securing a monopoly in a given region or section of the state.

While this act definitely checked the spread of branch banking by state banks in Tennessee, it of course had no effect upon the activities in the field of branch banking by national banks. The United States Supreme Court's failure to rule upon the constitutionality of "additional offices" when it held that national banks did not have the power to establish branches in the case of the First National Bank in St. Louis vs. State of Missouri in 1924²² apparently lent impetus to the establishment of additional offices by national banks in Tennessee. At any rate, it is significant that their number increased from three in 1924²³ to eight in 1925. By February, 1927, when the McFadden-

²⁰274 *Southwestern Reporter*, 539 ff.

²¹*Ibid.*

²²*Supra*, note 11.

²³*Report of the Comptroller of the Currency*, 1933, p. 11.

Pepper Act became law, there were nine of them.²⁴ The passage of the McFadden-Pepper Banking Act, which permitted national banks to establish branches in the cities in which parent banks were located if state banks had the power to do the same,²⁵ seemingly stimulated the relatively rapid development of branch banking by national banks in Tennessee during the next few years.

Branch banking reached its highest point in Tennessee in 1930 with thirty-two state and national parent banks operating a total of sixty-nine branches. Although the number of branches operated by state banks had decreased from its peak of more than fifty²⁶ in 1925, it had increased from forty in 1928 to forty-three in 1930. Meanwhile, the number of branches of national banks had risen from eight in 1925 to twenty-six in 1930.²⁷

The depression which began in 1929 had an adverse effect upon branch banking in the state. The sharpest decline in the number of banks operating branches and in the total number of branches came in 1931.²⁸ Branch banking was at its lowest point from 1933 through 1935.²⁹ During these years there were only eighteen parent banks maintaining a total of forty-six branches. In 1936 and 1937 respectively there were slight increases in branch banking. This was entirely in the field of state banking.³⁰

²⁴*Federal Reserve Bulletin*, February, 1929, p. 102.

²⁵*Statutes at Large*, XLIV, Ch. CXCI, 1224-34.

²⁶According to the Tennessee Department of Banking *Bulletin* No. 23, of April 6, 1925, there were fifty-three branch banks in the state at that time.

²⁷*Federal Reserve Bulletin*, June, 1926, p. 408 and June, 1930, p. 814.

²⁸This decline is in line with the general national trend to 1933. The number of banks operating branches in the nation at large began to decline in 1929. The greatest decrease, however, came in 1931 and the decline reached its lowest depth in 1933. It has risen steadily since that time. *Federal Reserve Bulletin*, April, 1930, p. 152; October, 1934, pp. 699-700; June, 1935, pp. 336, 405; April, 1936, pp. 218-19, 304; November, 1937, p. 1083; October, 1938, pp. 876-81; June, 1939, pp. 477, 479; September, 1939, p. 729; and December, 1939, p. 1065.

²⁹Possibly the depression neutralized the liberalizing effect of the Federal Banking Act of 1933 upon branch banking by national banks in Tennessee. At least, there has been only one additional branch of a national bank established there since that time. The provision of the Federal Banking Act of 1935 imposing restrictions upon state member banks having branches has apparently had no effect upon branch banking in Tennessee. Although one state bank having branches became a member of the Federal Reserve System in 1937, its branches were created before February 25, 1927. *Statutes at Large*, XLVIII, Ch. LXXXIX, 162-95 and XLIX, Ch. DCXIV, 684-723; *Federal Reserve Bulletin*, October, 1934, p. 700; June, 1935, p. 405; April, 1936, p. 304; November, 1937, p. 1083; June, 1938, p. 449; and June, 1939, p. 479.

³⁰*Ibid.*, June, 1926, pp. 402, 407-08; May, 1927, pp. 387-88; February, 1929, pp. 102-03; April, 1930, p. 152; December, 1930, p. 814; October, 1934, pp. 699-700; June, 1935, p. 405; April 1936, p. 304; November, 1937, p. 1083; June, 1938, p. 499; and June, 1939, p. 479.

Table II gives the number of the banks maintaining branches, and the number of branches maintained, by class of bank and the locations of the branches in Tennessee and in the United States from 1925 to 1937 inclusive. It seems significant that the total number of banks in Tennessee maintaining branches did not begin to decline during the depression years until 1931, while the number of those in the nation had begun to decline in 1929. Furthermore, the number of banks in Tennessee maintaining branches did not begin to increase again until 1936 whereas the number of those in the nation had begun to increase again in 1934. The decline in the number of national banks maintaining branches in Tennessee and in the nation followed the same chronological pattern as the decline in the total number of banks maintaining branches in Tennessee and in the nation. Although the number of national banks in Tennessee maintaining branches has never risen from the low point reached in 1933, the number of national banks in the nation maintaining branches began to increase again in 1934. The number of state member banks in Tennessee and in the nation maintaining branches was smaller in 1938 than it had been in 1925. Nevertheless, their number in Tennessee began to increase slightly again in 1937 as it had already begun to increase again in the nation in 1934. The number of non-member banks in Tennessee maintaining branches began to decline in 1931 and those of the nation also started a temporary decline in the same year. While the number of non-member banks in Tennessee maintaining branches did not begin to increase again until 1936, those in the nation had already begun to increase again in 1934. In general, variations in the number of branch banks paralleled those in the number of banks maintaining branches both in Tennessee and in the nation. The number of branches located in the head-office city was smaller in 1938 than it had been in 1925 in both Tennessee and the nation. Nevertheless, the number in each had begun to increase in 1936. On the other hand, the number of branches outside the head-office city in both Tennessee and the nation was greater in 1937 than it had been in 1925. The number of branches outside the head-office city in Tennessee began to decline in 1931 while they did not begin to decline in the nation until 1932. The number of branches outside the head-office city in Tennessee began to increase again in 1937 whereas those in the nation had begun to increase again in 1934. The territorial, *i. e.*, county-wide, limitation upon branch banking necessarily restricted this increase to the head-office county in Tennessee. In general, it seems, that the effect of the depression upon branch banking was largely the

**NUMBER OF BANKS MAINTAINING BRANCHES, AND NUMBER AND LOCATION OF
BRANCHES MAINTAINED BY CLASS OF BANK IN TENNESSEE AND IN
THE UNITED STATES, DECEMBER 31, 1925, TO DECEMBER 31, 1938a**

Years	Number of banks maintaining branches							
	Total		National		State member		Non-member	
	T.	U. S.	T.	U. S.	T.	U. S.	T.	U. S.
1925	24	735	6	132	3	198	15	405
1926	22	789	6	141	1	195	15	453
1927	22	779	6	145	1	189	15	445
1928	27	835	7	169	1	186	19	480
1929	32	822	9	166	.....	180	23	476
1930	32	817	9	165	.....	169	23	483
1931	25	677	7	157	.....	141	18	379
1932	20	680	6	157	.....	133	14	390
1933	18	575	4	146	.....	116	14	313
1934	18	715	4	176	.....	134	14	405
1935	18	798	4	182	.....	143	14	473
1936	19	840	4	188	.....	152	15	500
1937	20	903	4	194	1	159	15	550
1938	21	917	4	194	1	161	16	562

Years	Number of branches							
	Total		National		State member		Non-member	
	T.	U. S.	T.	U. S.	T.	U. S.	T.	U. S.
1925	58	2,572	8	332	6	1,280	44	960
1926	56	2,777	9	404	2	1,363	45	1,010
1927	55	2,900	9	390	2	1,560	44	950
1928	61	3,230	19	941	2	1,220	40	1,069
1929	68	3,547	25	1,027	.....	1,299	43	1,221
1930	69	3,618	26	1,041	.....	1,308	43	1,269
1931	58	3,334	22	1,274	.....	1,073	36	987
1932	49	3,191	17	1,220	.....	1,031	32	940
1933	46	2,752	16	1,211	.....	960	30	671
1934	46	2,973	17	1,243	.....	981	29	749
1935	46	3,099	17	1,327	.....	952	29	820
1936	47	3,228	17	1,398	.....	981	30	849
1937	51	3,407	17	1,485	10	994	24	928
1938	51	3,440	17	1,499	10	992	24	949

Years	Location of branches					
	In head-office city		Outside head-office city			
			In head-office county		Outside head-office county	
	T.	U. S.	T.	U. S.b	T.b	U. S.
1925	27	1,752	.....	820	31	.....
1926	24	1,928	.....	849	32	.....
1927	23	1,929	.....	1,061	32	.....
1928	26	2,214	.....	1,106	35	.....
1929	30	2,432	.....	1,115	38	.....
1930	31	2,470	.....	1,148	38	.....
1931	24	2,176	16	410	18	748
1932	19	2,064	14	432	16	695
1933	16	1,651	13	388	17	713
1934	16	1,642	13	522	17	809
1935	16	1,611	13	606	17	882
1936	17	1,612	14	650	16	966
1937	17	1,648	18	705	16	1,054
1938	17	1,630	18	729	16	1,081

a. The data contained in this table were derived from the *Federal Reserve Bulletin*, June, 1926, pp. 402, 407-08; May, 1927, pp. 387-88; February, 1929, pp. 102-03; April, 1930, p. 152; December, 1930, p. 814; October, 1934, pp. 699-700; June, 1935, p. 405; April, 1936, p. 304; November, 1937, p. 1083; June, 1938, p. 499; and June, 1939, p. 469.

b. There was no distinction between branches in head-office county and branches outside head-office county until 1931.

same in both Tennessee and the nation although there was usually a lag in the time element in the case of the state.

On December 31, 1938, there were 352 banks and branches in Tennessee. Four of the seventy-one national banks in the state had a total of seventeen branches. Seventeen of the 230 state chartered banks had a total of thirty-four branches. Thus the state branch banking system is composed of twenty-one parent banks and fifty-one branches and its unit banking system consists of 280 unit banks.³¹

Obviously the federal banking acts of 1933 and 1935,³² which enabled national banks to carry on branch banking upon the same basis as state banks, made it possible for the Hamilton Associates of East Tennessee to convert their affiliated institutions into a branch banking system provided the state law restricting branch banking to county limits could be liberalized. These acts, however, apparently did not have the same stimulating effect upon any national banks in Middle and West Tennessee.

There have been three attempts to revive branch banking in Tennessee within the last seven years. The first of the measures for this purpose provided for state-wide branch banking. It was, it seems, somewhat in the nature of a trial balloon to test the sentiment of the people throughout the state on the question of abolishing the law limiting branch banking to the county in which the parent bank was located. The second and third of these measures proposed the establishment of district or regional branch banking systems based upon the state's three grand divisions. Their object was to expand the territorial restriction upon branch banking from county to sectional lines so as to make possible the creation of relatively small branch banking systems which would serve the peculiar needs of given areas without competing with the unit banks of the state in general. While it is not certain that any particular banking interests promoted the first of the branch banking bills, it is obvious that a group of banking concerns in East Tennessee vigorously sponsored the second and third.³³

On April 5, 1933, Representative Norman Eubank of Dickson county started the first attempt to remove or modify the restrictions on branch banking in the state when he introduced in the House of

³¹See Table II. H. G. Huddleston to C. A. Campbell, August 23, 1939.

³²*Statutes at Large*, XLVIII, Ch. LXXXIX, 162-95 and XLIX, Ch. DCXIV, 684-723.

³³A small branch banking system had been established in West Tennessee and a larger one, in Middle Tennessee prior to the passage of the law restricting branch banking to county limits in 1925. *Supra*, 88, and notes 13 and 14.

Representatives "An Act to Permit and Regulate the Maintenance or Operation of Branch Banks, Offices, or Agencies, in Any Place in the State of Tennessee, by Any Corporation, Firm or Individual Carrying on a Banking Business in the State of Tennessee."³⁴ This bill was designed to do two things. First, it provided for state-wide branch banking. This in effect would repeal section 5950 of the Code of Tennessee which restricted branch banking to the limits of the county in which the parent bank was located. Second, it set up the rules under which branch banking should be carried on. It stipulated that branch banking, including the operation of both parent banks and branches, should be subjected to the same degree of regulation as unit banks. It provided that both the parent banks and individual branches should meet the same capital requirements as comparable unit banks. It required that a parent bank wishing to operate a branch in a town outside of its home county which already had banking facilities must acquire an existing banking concern instead of establishing a new one.³⁵

This measure was referred to the Committee on Banks and Banking. Chairman R. D. Cowley subsequently reported the bill back to the House with the statement that this committee had carefully considered it and did not wish to make any recommendation concerning it.³⁶ The House did not take further action on the matter. The Senate took no action whatever on the question of branch banking during this session: Despite the decisive defeat of Representative Eubank's bill in 1933, the advocates of branch banking did not give up hope. Instead of trying to obtain the passage of a measure providing for state-wide branch banking, however, they decided to attempt to secure the enactment of a law permitting regional or district branch banking. They succeeded in getting a few members of the state legislature of 1935-1936 interested in such a proposal.

Senator Fletcher Morgan of Hamilton county made the second recent attempt to change the law concerning branch banking in Tennessee when he presented a banking bill to the state Senate on March 27, 1935.³⁷ The immediate object of this measure, which was entirely different from Representative Eubank's bill, was to amend section 5950 of the Code of Tennessee so as to make possible the conversion of a group of affiliated banking institutions in one section of the

³⁴*House Journal*, 1933, p. 1002.

³⁵Original Bill, Department of Archives (War Memorial Building, Nashville).

³⁶*House Journal*, 1933, p. 1266.

³⁷*Senate Journal*, 1935, pp. 558, 608.

state into a branch banking system. In order to do this it stipulated that branch banking should be district-wide rather than county-wide. For this purpose, each grand division of the state was to be a banking district. It provided that banks in each banking district which were affiliated as provided in this bill on or before January 1, 1935, might be converted into a branch banking system. This consolidation was to be effected in accordance with existing laws. The plan of reorganization and consolidation was to be submitted to the superintendent of banks for approval. The act prohibited any of the banks in the system from discriminating against any city or town. It required all banks to be members of the Federal Deposit Insurance Corporation. Finally, it provided that the capital of the banking corporation into which affiliated banks were consolidated should be at least \$1,000,000 and in addition that it should never be less than the "aggregate minimum capital" required by law for the establishment and operation of an equal number of unit banks similarly located.³⁸

The Senate referred this bill to the Committee on Banking where it died. No branch banking bill appeared in the House during the legislative session of 1935.³⁹

The proponents of regional branch banking were not able to get the question before the legislature in the regular session of 1937. They did bring it before that body for the third time, however, in the regular session of 1939.

On February 1, 1939, a number of senators introduced Senate Bill Number 322 which was designed to permit branch banking within the limits of each of the three grand divisions of the state.⁴⁰ At the same time a group of representatives introduced an identical measure, House Bill Number 463, in the House.⁴¹

If the personnel of the senators and representatives sponsoring the Senate Bill Number 322 and the House Bill Number 463 in 1939

³⁸Original Bill, Department of Archives.

³⁹*Senate Journal*, 1935, p. 608.

⁴⁰They were: Senators Bean of Hamilton county, Chandler of Knox county, Mosby of Fayette county, Fain of Sevier county, Doak of Warren county, Carey of Knox county, Buckles of Sullivan county, Motlow of Moore county, and Geer of White county. *Senate Journal*, 1939, p. 354. On February 6, Senator Lem Motlow moved that his name be stricken as one of the authors of the Senate bill. His motion carried. *Senate Journal*, 1939, p. 429.

⁴¹They were: Representatives Ragon of Hamilton county, Ailor of Knox county, Grubb of Hamilton county, Colman of Hamilton county, O'Dell of Sullivan county, Hatfield of Claiborne county, Austin of Henderson county, Badgett of Knox county, Calloway of Loudon county, Campbell of Polk county, Headden of Lake county, McGinness of Sequatchie county, Cameron of Marion county, Mitchell of White county, and Denton of Rhea county. *House Journal*, 1939, p. 408.

was indicative of the sentiment for branch banking in Tennessee, it seems that the question was almost entirely a sectional matter. An analysis of the counties represented by the authors of the Senate bill reveals that of the nine senators who introduced this measure, five were from East Tennessee, three were from Middle Tennessee (two of these being from counties adjoining East Tennessee and one being from a county which was not very remote from East Tennessee), and one was from West Tennessee. A similar examination of the counties represented by the fifteen representatives who were sponsors of the House bill shows that twelve of them were from East Tennessee, one was from a county in Middle Tennessee adjoining East Tennessee, and two were from West Tennessee.

These bills passed the second readings the next day, February 2, and were referred respectively to the Committee on Banks in the upper house and to the Committee on Banks and Banking in the lower house.⁴²

These bills, which were identical, were substantially the same as that which Senator Morgan had introduced in 1935. The only changes were those having to do with the minimum capitalization required for a proposed "consolidated banking corporation" or branch banking system and the definition of what constituted an affiliated bank.⁴³

The practical result of the changes in these measures, it seems, was to create a situation in which the Hamilton Associates was the only group of banks in the state able to qualify for conversion into a "consolidated banking corporation" or branch banking system. At least, the fact that the bill which interested parties could not get the legislature to consider seriously in 1937 was identical with that introduced by Senator Morgan in 1935 indicates that the changes subsequently incorporated in the measures introduced in 1939 were designed to overcome opposition by narrowing the scope of the bill's alteration in the state's branch banking provision of 1925.⁴⁴

A joint meeting of the Senate and House committees held public hearings on these identical branch banking bills on February 7 and 8, 1939.⁴⁵ About seventy-five bankers came to Nashville to watch

⁴²*Senate Journal*, 1939, p. 375; and *House Journal*, 1939, p. 477.

⁴³Original bill, Tennessee Bankers' Association, *Legislative Bulletin*, No. 7, Series of 1939, February 1, 1939.

⁴⁴Copies of the bills introduced in 1935 and 1939 and of the one prepared in 1937 are in the writer's possession.

⁴⁵*Knoxville News-Sentinel*, February 8, 1939; *Nashville Tennessean*, February 8, 1939; and *Memphis Commercial Appeal*, February 8, 1939.

the fate of the branch banking bill "which would allow the 10 Hamilton associated banks in East Tennessee to consolidate and merge capital resources. But action was postponed."⁴⁶

At the joint committee meeting in Nashville on February 7, J. Pope Shepherd, the attorney for the Hamilton National Bank Associates, explained the measure.⁴⁷ He told the committee that its passage would bring "expanded service to the Tennessee Valley area." He pointed out that it authorized the consolidation of the ten East Tennessee banks into one corporation, which proponents said would give each bank a potential "lending power of a \$2,000,000 institution." Attorney Shepherd explained that he thought that it was unfortunate that the bill had been termed a "Chain or Branch Banking Bill." He stated that "A notable instance of the multiple banking we seek is the Commerce Union Bank of Nashville. They own and operate 10 banks in Middle Tennessee." He told the group that the Hamilton Associates of Chattanooga and Knoxville owned ten banks in East Tennessee and that the proposed bill would only give the Hamilton Associates the same rights that the Commerce Union Bank already enjoyed.⁴⁸

Mr. C. W. Bailey, president of the First National Bank of Clarksville and "self-styled" representative of the country or unit banks, led the opposition to the measure. He took the position that the unit or country banks of Tennessee "are doing a good job." Bailey contended that the passage of this bill would be the entering wedge of state-wide branch banking. He said that Tennessee was not "branch bank minded." He stated that since the legislature had turned down the idea in 1925, he thought it would be well to "Let sleeping dogs lie." He concluded his argument against the bill by saying that the unit or country banks were "serving well" and that they were "paying taxes."⁴⁹

About three weeks after the introduction of the regional branch banking bill T. R. Preston, president of the Hamilton National Bank of Chattanooga, wrote the chairman of the House Banking Committee, W. L. Parker, in part:

There was no opposition of consequence from any source except that sponsored by Mr. C. W. Bailey, President of the First National Bank of Clarksville, and Mr. Frank M. Farris, President of the Third National Bank of Nashville. These two men took an active part in opposing the bill before the committee at the open hearing several weeks ago, and were ad-

⁴⁶Knoxville *News-Sentinel*, February 8, 1939.

⁴⁷*Ibid.*

⁴⁸Memphis *Commercial Appeal*, February 8, 1939.

⁴⁹*Ibid.*

mittedly responsible for hundreds of telegrams and other messages to the banks over the state, requesting them to secure protest wires to their senators and representatives.

This matter was none of their business and would not affect their banks or any other bank in the state in the remotest way, and their action was not prompted by patriotic reasons as they have tried to make it appear, but by pure selfish reasons. Not a single sound reason have they given or can they give for opposition to this measure.

This bill asks permission to put a number of our affiliated banks into one system confined to East Tennessee, would have helped improve the Hamilton service, and if passed, we contemplate adding a development department which will work with the citizens in East Tennessee in securing new industries and business for the towns in which our banks are located.⁵⁰

The opposition to these companion measures mustered so much strength from all parts of the state that neither the House nor the Senate committee ever reported on them. Thus the third attempt in the 'thirties to revive branch banking in some form failed.

Branch banking remained virtually dormant in Tennessee from the time of the Civil War until after 1913. During the early 1920's there was a comparatively rapid increase in branch banking by state banks. In 1925 the state legislature, in response to the demands of those national banks and small state banks that were opposed to the growth of state-wide branch banking, passed an act limiting branch banking to the county in which the parent institution was located. This measure modified but did not entirely check the development of branch banking by state banks. After the United States Congress passed the McFadden-Pepper Act in 1927, there was a marked increase in branch banking by national banks in the state. The depression which began in 1929 adversely affected the development of branch banking by both state and national banks in Tennessee. In general, there has been a slight upward trend in branch banking in the state since 1936. Since 1925 there has apparently been little general demand for any change in the state laws regulating branch banking. A number of bankers interested in converting their group of affiliated banks into a branch banking system has apparently been almost solely responsible for at least the last two unsuccessful attempts to bring about modifications in Tennessee's branch banking law.

⁵⁰Printed in the *Knoxville Journal*, February 23, 1939.

PAPERS FROM THE SPANISH ARCHIVES RELATING TO
TENNESSEE AND THE OLD SOUTHWEST, 1783-1800

Translated and Edited By

D. C. CORBITT and ROBERTA CORBITT*

(Continued from East Tennessee Historical Society's
Publications, Nos. 9, 10, and 11)

IV—September, 1787—December, 1787

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, SEPTEMBER 8, 1787¹

Confidential

By your confidential Letter of the 14th of last month I am informed of the method you prescribed for giving the presents of Munitions to the Indians; and at the same time I received your letter of the 12th of the same month in which you mention the passing of the Talapuches, who killed Davenport and the other traders, through the Chickasaw Towns, without having experienced any resentment on the part of the said Towns. I have noted the contents of the letter and I am of the firm belief that, if goods are sold and Peltries are Bought in Mobile at the same prices that prevail here in the Indian trade, we shall assure ourselves forever and exclusively of the friendship of the Chickasaws and Choctaws, but otherwise I foresee that it will be impossible to attract the said Nations later.

At the place on the Mississippi called Chickasaw Bluffs, an American trader named Buchiers² has established himself with some twenty or thirty

*For the editors' introduction see the beginning of the first installment of these "Papers" in the East Tennessee Historical Society's *Publications*, No. 9 (1937), 111-12. With few exceptions the letters printed are from transcripts and photostats of papers selected by A. P. Whitaker from the Papeles de Cuba in the Archivo General de Indias, Seville, Spain, for the McClung Collection in the Lawson McGhee Library, Knoxville, Tennessee.

¹Archivo General de Indias, Papeles de Cuba (hereinafter cited as A. G. I., P. C.), legajo 37.

²Turner Brashears. The name appears as "Bourchier" in Ezpeleta to Valdés, March 24, 1788. A. G. I., P. C., 86-6-17 (transcript in the McClung Collection). In a list of Choctaw towns and traders prepared by Juan de la Villefeuvre, November 24, 1787, "Tonel Busshiers" is listed as a trader in the Choctaw town of Chenoukau. A. G. I., P. C., 200 (photostat in the McClung Collection). McGillivray to Miró, October 4, 1787 mentions Brashears as "Capt Bouchier." See J. W. Caughey, *McGillivray of the Creeks* (Norman, Okla., 1938), 160.

Americans. This Town is being increased daily by vagrants from the said Nation, but the only one that trades with the Chickasaws is the aforesaid Buchiers. I report this to you for your consideration.

Antonio Garzon has arrived from the upper Creeks and has sent word to me that Chief Mad Dog of the Town of Tuckabache, who on the 8th of this month, along with several other Towns, decided to support you, has resolved to attack the American Frontiers, and to take vengeance for the injuries done by the Americans to the Indian Nations, particularly the murdering of eleven Indians from the Town of Casista by the Georgians, because up to the present the Indians have waited for a satisfactory reply from the Americans, but not having obtained it have resolved upon what I have stated. . . .

Arturo O'Neill

Señor Don Estevan Miró

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, SEPTEMBER 17, 1787³

Confidential

The King of the Town of Talassie, named Poismeco, who was such an ardent Friend of the Americans, and who presided over the Indians from the towns of Casista and Chovocla in the congress with the Georgians in which they ceded them the Lands on the Oconee, contrary to the wishes of the other Creek Nations, came here at the end of last month with a recommendation from Mr. Alexander McGillivray that he be given two hundred and twenty-five pounds of Powder, and that fifty be given to the other Chief who came with him from Tastonaque, with the same amount of balls of Trade. I have given them these things, and for some Warriors of their party I have ordered goods and Rum. According to appearances, and to what Mr. Alexander McGillivray writes me, the Indians of the said Towns, together with the other Nations, are resolved to take vengeance for the Death of the eleven Indians from Casista, who were murdered by the Georgians, and for similar acts against other Indian Towns toward the Cherokee [Tennessee] River, making all the Creek Towns now united and inflamed against the Americans, and I predict that in a short time we shall have news of their raids.

Antonio Garzon has arrived without other happenings. . . .

Arturo O'Neill

Señor Don Estevan Miró

[Translation]

MIRÓ TO GRAND-PRÉ, NEW ORLEANS, SEPTEMBER 25, 1787⁴

No. 264

Under date of the 8th of this month the Commandant of Pensacola sends me the following:

"On the Mississippi at the place called Chickasaw Bluffs an American trader named Buchiers has settled with some twenty or thirty Americans.

³A. G. I., P. C., 37.

⁴A. G. I., P. C., 4. Grand-Pre was commandant at Natchez.

This village is increased daily by the vagrants from the said Nation, but the one that trades with the Chickasaws is the said Buchiers."

You will try to learn secretly what there is to this matter and give me the corresponding information. . . .

Estevan Miró

Señor Don Carlos de Gran-Pré

[Translation]

MIRÓ TO O'NEILL, NEW ORLEANS, SEPTEMBER 25, 1787⁵

I am informed of what you communicate to me confidentially under date of the 8th of this month, about the American settlement that is being made at Chickasaw Bluffs and of the reports that Hifaachó, Chief of the Tuckabaches, has communicated to you. I have been able to inform the Commandant of the Upper part of the River about the aforesaid settlement. This rumor, however, was spread here before and was proved unfounded by declarations taken from the people that came down from Illinois [St. Louis]. . . .

Estevan Miró

Señor Don Arturo O'Neill

[Translation]

MIRÓ AND NAVARRO TO THE MINISTER OF THE INDIES [VALDÉS],

NEW ORLEANS, SEPTEMBER 25, 1787⁶

No. 13 Confidential

Most Excellent Sir

The importance of the matter that we are to report is such that, since we have always worked in union and agreement in the Congresses with the Indian Nations that surround us, and in everything that concerns them, and since by reasoning together we can be more nearly certain, we have both been induced to sign this Representation which accompanies the enclosed Memorial, about which we will give our Reflections, in order to propose what seems to us best for His Majesty's service, in view of the knowledge that we have of this place.

On July 2 last there arrived in this City from Kentucky Mr. James Wilkinson, who was a Brigadier of the United States during its revolution, and at present is retired to private life in the said place; after the ten or twelve days' rest for which he asked, after announcing that he had a project of importance to propose, he gave us an extensive Account, on the

⁵A. G. I., P. C., 4.

⁶A. G. I., P. C., 86-6-16.

third of this month, of all that is contained in the enclosed Memorial,⁷ which he prepared. He is a youth of some 33 years, although he appears to be older, has a pleasing figure, is married and has three young children, and shows by his behavior and manners to have a very good education, of which he has taken advantage with his uncommon talent, as is shown by the Memorial itself, circumstances which persuade us that the reports we have, that assert that he has the greatest influence in the said district of Kentucky, and is able to make its inhabitants embrace the party he chooses on any critical occasion, are true.

The Memorial is so well elucidated that it would be presumptuous on our part, and perhaps tiresome to Your Excellency, if we tried to comment on all of it for your better understanding. Therefore, it only remains for us to corroborate it, informing you of the truth of its principal points.

What he says about the situation of the Settlements West of the Appalachian Mountains is true, as also that about their being powerful on account of their numerous population, from which it follows that Louisiana will not be able to withstand their attacks, unless it is convenient for His Majesty to begin to maintain an Army here.

That which is stated about Great Britain's having already taken the steps he relates is very probable, inasmuch as she can easily furnish them the Artillery and other things they need through Canada, and if through them she acquired Louisiana, which would certainly be populated by those to whom its conquest had been entrusted, this possession would be very advantageous because of its nearness to Mexico, and for its intrinsic value. If this happened we are firmly persuaded that she [Great Britain] would bless the day that her Colonies revolted, because this event was brought about.

That to get control of the Navigation of the Mississippi they will expose themselves to the labors of a War, in which they really risk little, is so evident that in our consultations about the welfare of this Province we have considered it phenomenal, and fortunate for us, that it has not happened before. Their inaction would still be incomprehensible, if Wilkinson had not shown that the emigrants from the Atlantic Coast, converting whatever they possess into those articles of commerce suitable for

⁷Wilkinson's memorial was dated September 5, 1787. A translation of the copy in possession of the Louisiana Historical Society is printed, along with other papers on the subject, in the *Filson Club Publications*, No. 31 (Louisville, 1926), pp. cxix-cxxxvii. There is an introduction of 118 pages by Temple Bodley. According to this introduction the copy owned by the Louisiana Historical Society was made from duplicates of the Miró and Wilkinson correspondence that was preserved in France. According to A. P. Whitaker, *Spanish-American Frontier, 1783-95* (Boston, 1927), p. 233, note 17, the original of the memorial is in A. G. I., P. C., 2373. On September 17, 1789, Wilkinson presented another memorial to Miró in which he summarized most of the suggestions made in that of 1787 and suggested changes in the original plan. He considered the changes necessary in order to adapt the plan to new conditions in the West. An incomplete Spanish translation of the 1789 memorial is in Archivo Nacional de Cuba, Floridas (hereinafter cited as A. N. C., F.), legajo 2, No. 14.

the subsistence of the aforesaid Settlements, have supplied them in exchange for their produce, a reason which alone proves that the annual emigration has been large.

These truths established, it is evident that the alternative is either to lose Louisiana, the natural barrier to the Kingdom of New Spain, or to embrace one of the two Projects contained in the Memorial.

Two principal reasons convince us that it would be the most advantageous to acquire Kentucky, even if the adjacent districts are not obtained, though it seems probable that they would follow its lead.

1st. it is evident that the farther the Vassals of the new United States are separated from this Province, the more they will be its natural enemies: and 2nd. because it would then be very easy to defend these possessions since the residents themselves would be obliged to defend it for their own good, and since in the Mountain range there are few passes that permit crossing from the Atlantic Coast, in which a small number of skilled people may resist a great many.

On the supposition that the predictions of Wilkinson will come true, and that Deputies will come down to hand over Kentucky, we beg His Majesty to deign to declare his Royal will on the following points in the Instructions:

1. Whether or not, although they will not be molested in matters of Religion, they must permit Churches served by Irish catholic priests, without the exercise of any other Religion being permitted, to the end that they be converted by persuasion and good example.

2. Whether, after agreeing to this proposition, they will be given the right to exercise their present Religion on the condition that they permit the establishment of the Churches referred to.

3. Up to what quantity of tobacco does Spain need in order that, assuring the ancient Vassals of His Majesty the sale of their crops, we can promise them that the remaining quantity will be bought on the account of the Royal Treasury, indicating this to them so that they can plant accordingly.

4. If, as inhabitants of another Province, their produce should pay the six per cent import duty which all imports must pay in this Customs House.

5. If they agree to this Article, desiring to be considered like other residents of this Province, will it be sufficient to require of them the said six per cent, whenever they export by sea to the Ports to which shipment is permitted.

6. Whether or not the privilege to trade overland with the United States should be granted if asked for, since the money they would acquire by the sale of their produce in this Capital would make this trade easy; what import and export duty should be levied on them, or whether this proposition is to be thrown out completely, which we think would be proper on account of the injury that would follow from its being granted.

7. Whether we are authorized to ask for a Battalion or so from Havana, which is absolutely indispensable, since it would be obligatory and necessary to place detachments at the principal points of these new dominions, whose Commandants would be both civil and military commanders, in order to watch out for any attempt the United States might begin, to impede the introduction of their commerce, and to settle the differences among those inhabitants, deciding those of small importance and remitting the important cases to this Government, as is done at the other Posts of this Province.

8. Whether they will be granted the right, in case they ask for it, to be governed by Justices of the Peace, as they are accustomed to be, but with appeal to this Government.

9. Finally, in case they raise some points that are not included in the instruction of His Majesty, are we authorized to decide them, provided they are not of prime importance.

This principal Project we consider remote, because several operations have to precede it: 1st. that Virginia declare Kentucky an independent State; 2nd. that this state receive a negative or unsatisfactory reply to its old request about the navigation of the Mississippi; 3rd. that in view of it Kentucky declare itself separated from the federal union; and 4th. that we see, without compromising ourselves with the United States, whether they will bear the loss of Kentucky, or try to reduce it to obedience.

However, the first three events may happen consecutively in less than a year: but about the fourth it is impossible to form any certain judgment. Therefore, we ask Your Excellency to make known to us the will of His Majesty about the help we should give them in case Congress takes the step of trying to dominate Kentucky, because it will be natural for them to request Artillery, powder, and balls at least, without losing sight of the fact that to refuse them would be very dangerous, because they will without doubt turn to Canada, sure of being provided, and then the hope that they will come under His Majesty's dominion will be destroyed.

The said Articles may be supplied them here through Merchants, from whom they would appear to buy them, or they may be delivered in Arkansas, a district separated from all communication, so that, if Congress complains, this Government may maintain that it had no knowledge of the matter and that doubtless it will have been a matter of commerce on the part of the Commandant there, or of the inhabitants.

The 2nd. Project relative to encouraging emigration from Kentucky and the other Towns on the Rivers that drain into the Ohio, permitting their families to settle in this Province, in order to have hands with which to counteract the forces of any enemy, may be begun immediately, since this is a matter that we have thought over to propose to His Majesty, and about which we explain our ideas here in order that each one may receive his Royal resolution.

1. If in reply to this we are authorized to receive the said families, shall we use the said Wilkinson, who has offered to attract a considerable number immediately which he expects will reach two thousand.

2. On the point of Religion they will be obliged, and should agree without difficulty, to settle the question as it has been done for Natchez and the other conquered Posts; that is, with Churches served by Irish Clergy,⁸ who without molesting them, will try to attract them to our Holy Religion without the free exercise of any Sect.

3. From this it follows that at each Post, or in each District of five to seven leagues of frontage on the Banks of the Mississippi or its branches, a Church must be built, a House for the Priest, another for the Commandant, and a small Barracks or Fortified House. This expense, which will be the only one caused by these new Towns, and which will necessarily be paid by His Majesty, is negligible in comparison to the advantages to be received; for after the first or second year he will be repaid by the revenues produced by the importation and exportation of goods which the new families will buy and sell. It is also necessary and indispensable because the Priest and the Commandant can win their affection with a benign rule so that they will become devoted to the Spanish Government, the responsibility for which result will fall directly on the Governor of the Province, who must choose the persons and remove them when the choice does not fulfill his expectations.

4. At first sight it does not seem best to populate the right Bank of the Mississippi and the Rivers that flow into it from that side since, being on the side nearest Mexico, it may be feared that, nourishing many other enemies in our midst, for those we will attract are foreigners, they will approach nearer to Mexico, their principal objective, which we want to avoid, for, although these people would form an impenetrable barrier to that Kingdom if they are faithful, on the other hand, if they are not, they would facilitate invasion if they were settled there. Nevertheless we will try to prove that circumstances oblige us to take the risk, and that it [the loss of Mexico] is more imminent if we do not populate the west bank. Once resolved to procure the said emigration, if, on account of the fears stated, we settle all the families on the left bank of the Mississippi, we must take it for granted that they may there, as on the other side, fail in fidelity, in which case there is no obstacle whatever to their crossing the River, for the opposite bank will be unoccupied and without defense: but grant that they will be faithful, will they in that case, established on both banks, be in sufficient numbers to defend the Kingdom referred to against the attacks of the Settlements on the Ohio? Certainly, for l'Anse a la Graisse, and also the other suitable places on that Bank of the Mississippi, the St. Francis, Arkansas, Ouachita, and Red Rivers, and the districts of Natchitooches, O-Pelouzas, and Atak-apás, will be garrisoned with families, who will, from their very homes, fight against the invasion of their

⁸A royal order of April 5, 1786, stated that it was the "will of His Majesty that Parishes, served by Irish Priests, be established at Natchez and other convenient places, in order that the English and American Settlers, and their Children and Families, may be attracted to our Religion." The bishop of Salamanca was asked to select the first four priests. They sailed from Cadiz late in 1786 or early in 1787 (A. N. C., F., legajo 14, No. 106). Other Irish priests were sent from time to time until 1795 (*Ibid.*, legajo 14, No. 72). See also Charles Gayarré, *History of Louisiana: Spanish Domination* (New York, 1866), 178-181, 200.

enemies, gathering easily at the point that circumstances oblige them to select in order to do so. On the other hand, it is not morally possible to believe that men will be disloyal who have lived under a precarious Government, which gave them no protection whatever, although they were surrounded by dangers from Indians, and deprived of all Commerce, when they see themselves settled under another government which protects them, facilitates the exportation of their produce, and decides their controversies with justice, without imposing on them any tax whatever, or molesting them in their domestic operations. Winning in this way the first generation, those that follow will not know any other Fatherland than this, the work of the Commandant and the Priest being to engrave into the tender hearts of the Youth the Spanish spirit and patriotism.

It only remains to demonstrate that it is convenient to embrace immediately the Second Project of the Memorial, which in no way destroys the first if it is afterwards carried out.

It may be established as an Axiom that the inhabitants of Kentucky and the other adjacent Posts may as easily invade Louisiana from those Districts as they could if they were already settled among us and should rebel, or perhaps more easily, because to do it in the first case would result in glory, and embarked in *chato* boats on the Ohio they would be among us before we knew they had thought of it, for the current favors them; but emigrated and settled among us in these possessions under the eye of a Commandant, it would be very risky to start a Rebellion, and, far from being glorious, it would stain their good names with the ugly epithet of perjurer. From this narration it follows that, if we wait longer, Congress may decide to let them work, and help them to acquire the Navigation of this River by their own efforts, while openly disapproving of their conduct (of which they will be cautioned) in order to remain at peace with Spain: therefore, it is best not to lose time, and to populate Louisiana with individuals, who should be obliged to swear to take up Arms against any attempted invasion by Kentucky and the other Settlements, a statement that must be included in the oath of allegiance so that they would necessarily have to take it.

In order to conclude what we think necessary to corroborate the Memorial, it only remains for us to add what would give great weight to the statement of Wilkinson, who has told us this—in case the Court has had news of the help requested by those of South America who planned to revolt: It was the Minister Pitt to whom they addressed themselves, Lord Buckingham was the Gentleman who was to supply the Arms and Munitions, and the ambassador of Congress, Mr. Adams, who deterred the Captain of the Boat of the same nation from taking charge of the transportation: this ambassador gave account of everything to Congress, and Wilkinson heard of it through one of its Members.

We will now speak of the private affairs of this person, who, as Your Excellency will see, concludes his Memorial by asking that he be allowed

on his return to send here various products of that Country to the amount of fifty or sixty thousand dollars, and that what they bring be deposited in the Royal Coffers here until he sees what turn his plans take, or until he can come down and settle in this Province, a circumstance which seems to remove all suspicion that he may have wished to delude us with great Projects in order to obtain an advantageous speculation in commerce. Besides, we cannot justly form such a judgment against him because the condition of the aforesaid Western Settlements, and the almost Anarchical condition of the federal Government of the united States, assure us that what he has stated is probable and founded on reason.

We should also say in his favor that we are informed that he was the first, and principal person, that destroyed the enterprise that Brigadier Clark was meditating against Natchez for the spring of this year in the manner that I the Governor reported to the Ministry in confidential Communication No. 9 dated June 1, 1787.

Because of all that has been stated, we have agreed to take upon ourselves the responsibility of permitting him to send half the above mentioned amount, restricting the Articles sent, as Your Excellency will see by the Copy of the letter we have written to him, which goes enclosed under number 2, confident that Your Excellency will ask for the approval of His Majesty and also his Royal will about the other half, which we think Advantageous to his Royal service to grant, and we have also agreed that it will be fitting to his Liberality to command that the said produce not be held in deposit, and that he be exempted from the import duties, favors which will undoubtedly induce him to work with due gratitude. Limiting himself to these matters for the present, it will be well for His Majesty to command that he [Wilkinson] be told that he will be generously rewarded if he achieves the first and principal project, or aids the Second with all his influence so that it will be evident that he has worked with zeal and activity.

We also beg His Majesty to state whether we will be permitted, as Wilkinson proposes, to grant those notables the right to send any other shipments, which may contribute to the achievement of one or the other of the plans, which seems to us cannot cause any injury, since they will consist of food or tobacco, in the buying of which His Majesty will find great profit, and also the six per cent which will be exacted on all articles, with the advantage that, with the importation of this flour, the fears that this Province will lack bread on account of the confiscations that are now being made will be removed, which example will surely prevent others from taking the risk of bringing flour from the Ports of the New united States.

By Copy number 3 Your Excellency will see the reply we have given Wilkinson about the memorial, which is reduced to stating that he may make known to each of those whom he wins to his party that his proposition was well received. He left this Capital the 15th of this month in a ship which goes by the Cape with directions to its Captain to land him

in the first port of the United States, so that the Voyage may furnish him a way to be in Kentucky before it has declared itself an independent State, which he expects will be effected next October. He goes very enthusiastic about preparing the people for the achievement of the first project, and, in order that he may give us the news that this delicate matter produces, we have agreed on a Code of the most incomprehensible type.

Document number 4 contains the names of the Districts, and also those of the Rivers that flow into the Ohio to the West of the Appalachian Mountains. The capital letter place at the side of each corresponds to that on the map enclosed under Number 5 and indicates its position, from which Your Excellency will learn about the territory that it is proposed to add to His Majesty's dominions, which, according to the conservative estimate of Wilkinson, contains *One Hundred and fifty* thousand men able to bear Arms.

Number 6 is a Copy of the Declaration in which the said Brigadier makes himself a Vassal of His Majesty, the original of which, as also of his Memorial, remains in the Secretariat of this Government, since it seemed prudent to us not to expose them to the dangers of Navigation.

We send the Memorial in English, and a translation of it in order that Your Excellency may read the latter immediately and order it compared with the copy in English.

The Secret of this matter is preserved between the two of us, and the Secretaries of the Government and the Intendancy, both of whom know English; for although both of us have a superficial knowledge of English sufficient to translate it, we do not know it well enough to carry on a conversation about matters of importance. In order that the excessive curiosity of the Notables of this Capital be restricted to a single object, we have intimated that Wilkinson came commissioned by the aforesaid Settlements to solicit a general permission to come down with their produce, which has really had so good an effect that nobody has imagined anything else.

To begin to enumerate the spiritual and temporal advantages to the present reign and those succeeding it, that will be produced by achieving either or both of these two Projects, would be to suppose that they are hidden from Your Excellency. Therefore, we conclude by stating that we are very happy that in the time of our Administration a matter of such moment should have presented itself, and we will have the greatest satisfaction if, by applying all the zeal and activity of which we are capable, we may be able to contribute to its success, by carrying out the instructions that may be pleasing to His Majesty. . . .

Martin Navarro

Estevan Miró

His Excellency the Minister of the Indies

[Translation]

KEY TO A MAP OF THE WESTERN SETTLEMENTS SENT BY MIRÓ AND
 NAVARRO TO THE MINISTER OF THE INDIES,
 SEPTEMBER 25, 1787 [ENCLOSURE]⁹

No. 4 Relation of the Settlements that have been made by Vassals of the United States, West of the Appalachian Mountains, on the Rivers and Streams that empty their Waters into the Ohio which flows into the Mississippi. The Capital Letters that are on the Margin by the name of each Settlement refer to those on the annexed Map.

A—The Allegheny

B—The Monongahela

The confluence of these two Rivers forms the Ohio, and at this point Fort Pitt is constructed.

C—Tigers Valley a small Settlement on a small river that flows into the Monongahela.

D—Green Briar

E—New River

These two unite to form what is called the great Kanawha, which flows into the Ohio.

F—Blue Stone. A small river which flows into New River.

G—Holston River, an old Settlement of consideration near that just mentioned, but its waters communicate with the Cherokee, and this with the Ohio.

H—French Broad, a River which, like the one just mentioned, flows into the Cherokee.

I—The Tennessee, the same as the last.

These two Settlements separated from North Carolina two years ago and formed a Republic with the Name State of Franklin. However, Congress has refused to admit them into the Confederation, but they preserve their independence, governing themselves.

K—The Clinch. A River that also flows into the Cherokee.

L—Powells. A River lower down than the others which also flows into the Cherokee.

⁹A. G. I., P. C., 86-6-16. Enclosed in Miró and Navarro to Valdés, September 25, 1787. The transcript in the McClung Collection has no item corresponding to the letter J.

- M—Kentucky. Its name like the others is taken from the River; but the Towns it embraces are not limited to the river; for, in addition to the region along the branches of the river, it includes a distance of 160 Miles from the Falls of the Ohio to the Limestone, a Branch of the Same.
- N—Cumberland, A River which is part of the Shawnee, which flows into the Ohio.

NOTE

Up to here the information is taken from the account that Brigadier James Wilkinson has delivered, which includes only those Settlements and Rivers whose waters empty into the Ohio on the Left, and therefore no mention is made of the County of Illinois, which is the name that has been given to—

- O—Post Vincennes on the Wabash River, which flows into the Ohio on the Right, and to the districts lying east of our settlement at St. Louis of Illinois, and our other adjoining posts.
New Orleans, September 25, 1787.

Martin Navarro

Estevan Miró

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, OCTOBER 6, 1787¹⁰

Confidential

The Indian Commissary, Mr. Alexander McGillivray, who is here, informs me that many Indians, particularly those of Casista, who were formerly partisans of the Americans, have gone out from different Towns; and at present, according to reports from the Nation, it seems that the Indians have killed two Americans on the Oconee River, and that some other Indians have carried two Negro Prisoners, and one or two American Women, to the Nation.

The German Boy who was made Prisoner in the Chie Nation by the Indian Tomachagu at the time Davenport was killed, was here with the said Indian, who wanted to turn him over to anyone who would pay his ransom, and he brought him to me for that purpose, to which I did not agree, and it seems that in a few days the Boy escaped. The Indian captor has not notified me, nor do I know which direction he went, nor what the said prisoner has done.

The Indians are accustomed to bring Horses here for sale, but since it is possible that some of them are now captured from the Americans I lay the matter before You, so that you may advise me on his point.

It is believed that some Parties of Americans have entered the Creek Nations with hostile intentions, and consequently a greater number of

¹⁰A. G. I., P. C., 37.

Indian Warriors may come here asking for Munitions and Help, in view of which you will please advise me (if this happens) up to what limit I should supply them, because the Quantities of Munitions you have granted them have already been delivered, and at the present time representatives from nine Towns whose warriors have all marched toward the Oconee are here asking for Munitions, and it seems to me that there is no doubt that the Georgians and Carolinians have united to invade their Nations. . . .

Arturo O'Neill

Señor Don Estevan Miró

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, OCTOBER 19, 1787¹¹

Confidential

According to what McGillivray informs me, Spanehagu, Chief of the Aveicas in the Upper Creeks, returning from Cumberland, where he went with five hundred Indians, affirms that the Americans have abandoned the said settlement of Cumberland, retiring to the Holston River at the head of the Hoghego, or rather the Calamak, which flows into the Cherokee.

The Indians here likewise tell me that the Americans on the Oconee have retired, from which fact they conjecture that the Americans are uniting to destroy the Indian Towns, and the latter clamor so much for Munitions that I have been obliged to supply Six of the principal Towns with seven hundred pounds of Powder, twelve hundred pounds of balls, and three hundred gun-flints, while you are deciding what is best.

At the same time I have assured them, according to what you advised me, that, if the time comes when the Americans invade their Towns, they may come here promptly, where they will be supplied with Munitions. They reply that it will be too late then, and that, with their goods lost and half their Nation frightened, it will be necessary to ask the Americans for a Congress, make Peace, and see themselves compelled to cede half Their lands.

The Towns that now urge this are Oconee, Chuslaco, Hichety, Ocuche, Casista, Palachocle, Ilicalsca, Uchee, and Coweta, and in view of all these things you will please give me the proper advice. . . .

Arturo O'Neill

Señor Don Estevan Miró

[Translation]

O'NEILL TO BERTUCAT, PENSACOLA, OCTOBER 25, 1787¹²

Confidential

With your communication of the 14th of this month I received the inventory, which was made in your presence, of the goods found in the

¹¹A. G. I., P. C., 37.

¹²A. G. I., P. C., 37.

Warehouses of the deceased McLatchy,¹³ of which I am informed, and for the information of Don Estevan Miró I sent the originals to him.

I have informed Mr. Pantón, the principal of his firm, which includes Leslie and McLatchy, about the part that the latter had in the Branch at St. Marks, and the said Pantón seems, by the translation of His Letter that I enclose, to be very grateful for what you did.

I am glad that the dissention provoked by your intervention in the matter has not alarmed the Indians or Traders, in view of the fact that the preoccupations of both are want to be great and without foundation, the Savages clamoring among themselves about things that are, or that they conceive to be, not to their liking.

Mr. Pantón left for there today, and it is probable that he will arrive in Six or Seven days. He takes with him a very prudent and capable Youth for that trade, which it is very necessary should continue now without interruption, so that neither the Indians nor the traders will cause any trouble there, for we are in a very critical situation just now because the Indians have killed the Commissary, Major Davenport, and several of his followers, and also some Americans in the Cumberland settlement, which is now abandoned because of the incursions of the Upper Creeks, and, according to reports, its inhabitants, in union with those of Holston on the Hodgego River, are preparing to invade the said Nation, and some Indians and traders report that the Americans are already on the march and that thousands of Indians are going to fight them.

On the other hand all the Warriors of Casista, Tuckabache, Chovocla, many of those from Coweta, and also some from the other Towns of these lower Creeks, have marched toward the Oconee River, to whom, it seems to me, you should give without delay, the rest of the guns, Powder and balls that remain of those which were meant for presents, in case they are attacked, in order to animate them in their own defense, but with the greatest dissimulation and secrecy, and without the appearance of anything in writing, and when you have no more munitions, report your needs to me.

It seems to me that it is best for Mr. Pantón to return to the management of his Business here, and I can do no less than recommend him to your protection. His whole conduct and procedure make him worthy of your attention and it is desirable that he should be accommodated in everything that is reasonable because of his great usefulness to the Indian trade. . . .

Arturo O'Neill

Señor Don Luis de Bertucat

[Translation]

O'NEILL TO MIRÓ, PENSACOLA, NOVEMBER 28, 1787¹⁴

Tastonaque of the Town of Colome has been here with fifteen Warriors and ten other Indians. One of the former is the son of the Chief of the Great Medal, Nine Wachiche, who on all occasions has professed the

¹³Charles McLatchy had been in charge of the store at St. Marks since its establishment during the last year of the American Revolution.

¹⁴A. G. I., P. C., 37.

greatest friendship for Our Government. They tell me that 60 Indians under the command of the aforesaid Nine Wachiche, went to the frontiers of Georgia to take revenge for their injuries (consisting of two killed) on the Georgians, and that on the other side of the Oconee they were attacked by two hundred Americans whose superior number obliged them to abandon Their Camp and fight in the canebrake. The firing lasted from eleven until four in the afternoon, and, according to the reports of the traders and Indians, the Americans lost twenty-two killed and four wounded. The Indians had five killed, among them Chief Nine Wachiche.

According to the Charleston Gazette, Brigadier-General Clark¹⁵ had 160 men, and the Indians, who were equal in number, waited in line until the Americans advanced to within eighty paces, and then discharged a well directed fire. They killed six and wounded eleven, upon which the whites retired, and at the same time the Indians withdrew to a nearby canebrake, giving the Americans an opportunity to carry off their dead and wounded. The firing lasted until four in the afternoon when both parties retired. The Indians returned by night and buried their five dead, keeping a Scalp, the Americans keeping some pillage from the Indian Camp. The Gazette also says that among the number of Wounded are Brigadier-General Clark and a Captain. It also tells of other Murders committed later by the Indians. The Americans are very much alarmed, and the said General asks for immediate aid. It is also rumored that five hundred men in two divisions are marching to destroy some Indian Towns. . . .

Señor Don Estevan Miró

Arturo O'Neill

MCGILLIVRAY TO MIRÓ, [PENSACOLA?], DECEMBER [?], 1787¹⁶

Sir, I had done myself the [honor] of writing to your Excellency in August last in which [I gave] you a full state of our Occurrences.

about the middle of last month [a] considerable body of my people returned from an attack upon Cumberland. which place was abandoned by its inhabitants upon the approach of my warriors who destroyed [the] principal part of the Standing Crops of corn or tobacco with the best buildings in the Settlement.

I had likewise informed your Excellency that [six] of the Cussitah Indians had been murdered by the Georgians [and] the Indians have taken satisfaction for that affair.

Mr. Folch¹⁷ the Commandant at Mobile [sent] me a letter by way of the Choctaw Nation the [tenor] of which in my opinion amounts to dis-

¹⁵General Elijah Clarke.

¹⁶A. G. I., P. C., 200. The original of this letter is torn on both edges. The words in brackets are attempts of the editors to supply the words that are missing or illegible.

¹⁷Vincente Folch y Juan, nephew of Miró, was born at Barcefona in 1754. He fought in Morocco and Algiers in 1774 and 1775, took part in the siege of Gibraltar in 1780, and was sent to Havana in the same year, from where he went to Louisiana. From 1781 to 1795 he was commandant at Mobile, and from 1795 to 1811 was governor of Pensacola. Between 1812 and 1822 he was several times second in command in Cuba. He died at Havana on November 8, 1829. Jacobo de la Pezuela, *Diccionario geografico, estadístico, historico, de la Isla de Cuba* (4 vols. Madrid, 1863), II, 374.

approbation [of the] Davenports affair. which I believe he wrote at [the] instigation of some traders in there Nation. who [are] secret favorers of the Americans who are alarmed for [?] it. I had repeatedly received good information of the [way] he was carrying on in the Choctaw & Chickesaw Nations [that he] actually gained a great influence over the minds of [those] people & was nearly on the point of effectually establishing [the] American Interest with them & the speeches that he made in [the] Congress last Spring coming to my knowledge fully [convinced] me that it was absolutely necessary to dispose of him. however he has left an able successor in a Captain¹⁸ [who] has taken his stand with a party of Americans at the Chickesaw Bluffs. I had some intention of driving him off but shall defer the attempt untill I learn your Excellencys sentiments [on these] matters.

I came to this place to look after the additional [supply] of ammunitiion I requested from your Excellency & shall [request] it from Governor O Neil. Requisitions of this sort will [be necessary] on our part, while the present contest between us & [the] Americans exist, & arms begin now to be wanted by my people. We have information that the late Inhabitants of [Cumberland] are retreated to the frontier of North Carolina & from the reports from that Country that they [will] leave their families in a place of security & then [with] what assistance they can obtain from the [Holston they] mean to return in force in order to erect forts [along] the Cherokee River at all Crossing places, to [make] a barrier to cover the settlement of Cumberland & [when that] is accomplished they will bring back their families to [their] former dwellings.

Now upon this occasion I judge it [to be very] Important to our Interests, that I should clearly understand your Excellencys sentiments, that we may have a [rule to] conduct ourselves by in the future.

Your Excellency will I am sure believe me [when] I declare that it is the wish of my heart to serve every occasion in my power to manifest my desire to promote the Kings Interest & Service. it was from those motives [that] Davenport fell & that after repeated & obstinate [resistance] the Settlement of Cumberland is at length dispersed [and it] was to promote those ends that I finally [formed] the great Indian Confederacy of the Northern & Southern Nations, in order to keep the Americans from [?] I have ever understood to be extremely interesting to the [Spanish] Nation & agreeable to your Excellencys views but while [conduct]ing myself in this manner it is requisite that I [should] understand whether these measures meet with your Excellencys approbation or not & if they do I must rely upon your Excellencys [support] together with a full & ample support of arms & ammunitiion which is necessary to give effect to our Nations on matters of the Mississippi & to contend with [success] for our [Oconee] Lands with Georgia. Without this I may hurt that which I desire to promote and endanger the safety of my people.

Amongst other reasons which I have for pressing the [precedi]ng matters to your Excellencys consideration: one is that [I have] received a

¹⁸Turner Brashears. Cf. footnote 2.

letter from General Caswell, Governor of North Carolina expressing a great desire to bring peace between [our] people & its not impossible that the [Georgia]ns may be brought to accede to more moderate terms [than] they have hitherto insisted upon.

I have observed with Satisfaction that a correspondence [was] opened with Mr. Panton respecting his conducting the Choctaw & Chickesaw trade a prospect which afforded great hopes that by such a measure they would have been satisfied in their trade & their [?] & discontents would have ceased but on my coming [here I] was sorry to find that plan altogether dropt.

A short time before I left the Nation [a talk] was sent by us to the Choctaws & Chickesaws which [they] will not dare refuse to accede to. But how [ever] those people may be intimidated by the Grand Confederacy [of] the Nations. yet while they have any reason to [be] discontented with their trade it will always be in the [power] of any American emissary to blow it to a flame [with] disagreeable consequences.

I hope I shall not stand [in need] of any apology to your Excellency for the freedom with [which] I represent matters of such consequence to you. for they [are] the words of truth & sincerety & I should think myself [blama]ble if I was to deceive you by glossing over affairs [of] such moment. . . .

Alex. McGillivray

[Translation]

EZPELETA TO VALDÉS, HAVANA, DECEMBER 6, 1787¹⁹

N. 7

Most Excellent Sir

Under date of September 24 last the Governor of Louisiana has begun to communicate to me the State of the Disturbances stirred up between the Indians of that Province and the Anglo-Americans. Both continue their pretensions and both have the same end in view, but as to the Indians, the articles that dealt with their Commerce have been prepared and, I believe, have been arranged through the instruction which the Governor and the Intendant together gave to Don Juan de la Villebeuvre,²⁰ Captain of the Regiment there, who was Commissioned for that purpose, but I do not find in the matter anything of such gravity that it merits being reported to Your Excellency, to whom I repeat, therefore, what I stated in letter No. 1 of October 11 with the same Object in view, that it will never be best to take part in their disagreements; nor do I believe that those circumstances will have important results; nevertheless, I will give the Governor due warning in accordance with his reports, when these are made prior to

¹⁹A. G. I., P. C., 86-6-15.

²⁰See footnote No. 31 in installment III of these "Papers," *Publications* No. 11 (1939), 87.

his decisions; and I will send successively to Your Excellency the confidential letters sent to the Captain General, as the Governor himself did formerly in order not to misdirect and delay the reports, as would have happened if they had been sent through the Captain General when he was in Mexico. This difficulty ceases now since he [the captain general] resides in this City through whose Port pass all the Communications from America on the way to Spain, and in the same manner the reports may go through me without delaying matters in the least, however important they may be. Therefore, the correspondence of the Governor with the Ministry has been stopped. . . .²¹

Duplicate

Joseph de Ezpeleta*

His Excellency Don Antonio Valdés

²¹Bernardo de Gálvez was appointed captain general of Louisiana and West Florida on February 12, 1781 (A. N. C., F., legajo 2, No. 1). Prior to this appointment Louisiana was governed as part of the captaincy general of Cuba. In 1784 Gálvez was given the double appointment of captain general of Cuba and captain general of the Floridas, East Florida being added to his jurisdiction. On the death of his father in 1785, Gálvez succeeded him as viceroy of New Spain. He then ceased to be captain general of Cuba, but continued to hold his office for Louisiana and the Floridas. After his death on November 30, 1786 the captaincy general of Louisiana and the Floridas was conferred on Joseph de Ezpeleta, then captain general of Cuba. In the letter quoted here Ezpeleta referred to the fact that the governors at New Orleans and St. Augustine had been permitted to correspond directly with Spain in order to avoid delay, provided they sent duplicates of their letters to Gálvez. After the return of the seat of government to Havana, Ezpeleta could see no reason to continue the practice, since correspondence from the two capitals had to pass through Havana on the way to Spain. However, in spite of his order, the home government continued to permit the governors at the two capitals to report directly to Spain when they saw fit to do so. Papers on this subject are found in A. N. C., F., legajo 3, No. 7, and legajo 10, No. 6.

*The fifth installment of these "Papers" will appear in No. 13 of the *Publications*.

THE "J. HARTSELL MEMORA": THE JOURNAL OF A TENNESSEE CAPTAIN IN THE WAR OF 1812

Edited By

Mary Hardin McCown*

(Continued from East Tennessee Historical Society's *Publications*, No. 11)

December 2 day 1813--I made a trew a statement of the Strenght and Condition of my Company from the Day I Started up to this Date. what is a pay Returne for all the officers and privates and the wagoner, wagon and horses, the time when Inroled, the Ridgement that I inroled into Servise, the officer which Commands Me at this plase.

A muster Roll of a Volenteere Company East Tennessee. Under the Command of Capt Jacob Hartsell, in the Ridgement Commanded by Colonel William Lillard, from the 12th day of October, 1813.

Mens names	what rank	when Entered into Servise	for what Period	names present	Remarks
Jacob Hartsell	Capt	October 12	For 3 months	- -	- -
Isaac Hartsell	Lieut	1813			
Samuel Bayles	2 Lieut	-----a wagon and			
George Starmer	Ensign				teeme presed into the United States Servise
Thomas M Sheral	1 Serg				
John G Rubele	2 Serg				
John Odele	3 Sgt				
James Casedy	4 Sgt				
Joshua Gaines	1 Corpl				
Thomas Carley	2 Corpl				
Anthoney Holen	3 Corpl				
Adam andes	4 Corpl				

B-

Bayles George
Bottles William
Briles D Thomas
Baron Thomas
Brown John
Boman David
Briton Joseph

*For the editor's foreword see the beginning of the first installment of this "Journal" in the East Tennessee Historical Society's *Publications*, No. 11, pp. 93-98.

C-

Clingan John -----A wagoner for the United
Creselus philip States Service

Cloyed John

Chambers Isaac

Cleck Henry

Calvert Lenard

Charlton thomas

Cholans Joshua

Conk Moses

D

Dugles Samuel

E-

Eperson James

Eperson Benjamin

F-

Fine abram

Fulkerson alexander

Fulmer John

G-

Garland Jesse

Grayham Thomas

Garland John

H-

Hampton Jesse

Haile Richard

Hair Joseph

I-

Ingram John

Ingle William

Ingle John

J-

Jackson George

Jackson Jacob

Jobe Moses

Inglish John -----Discharged at Knoxville unfit for Dewty
October 31 day 1813

L-

Laughline M Stith

Lilbourn andrew

Lain Joseph -----Left Sick five miles this side of
Kingston November 5 day 1813

M-

McCray philip

Martain Hugh

Millir Samuel

McGines Joseph

Mitchale James

Mitchale John

N-

Nelson Henry

P-

Pitcock Stipten

Proyer William

R-

Randeles Samuel

S-

Shagle John -----Deserted brought Back and Discharged

Smith turner November 16 d 1813

Starens fredrick

T-

Tucker Jonathan

Tinker abram -----Inroled himselfe as a wagoner in

Tilson John the United States Service out of my

Thrasher Isaac Company on the 20thday of November 1813

V-

Vest James

W-

Walker S John

White adam

Whitson William

White terey

Wood John

Willhite James--Whiteker thomas-----Discharged at Knoxville unfit for dew-
ty October 31 day 1813

I do hereby Certify as an oficer that this muster Roll Contains as true
a statement of this Company under my Command, and that these Remarks
oposet mens Names air Just and trew as Can be ascertained by me.

Jacob Hartsell Captain—

December 4th Day 1813 maid out by me Capt-

...

December 5th day 1813--On last Evning ther Came aney Express from
General Jackson to General Cock for to reinforce his army with all his
force. this morning General Cock Sent aney Express¹ to General Jackson
armey to know what quantety of men he wold Require of him. this
morning General Cock Called all the oficers to his tent and told them that
he ment to Join General Jackson on the twelt of Instant with all the force
that Jackson might Require of him. If the[yl] marched Day and knight

¹Jackson, always short of rations for his army, had been desperate which
course to pursue. He had hesitated to order Cocke to join him on account of the
conditions of supplies, but on December 6 he ordered him to be at Ft. Strother
on December 12, after which they were to advance to the confluence of the
Coosa and Tallapoosa, and establish camp there. J. S. Bassett (ed.), *Correspond-
ence of Andrew Jackson* (Washington, 1926-1935), I, 374, 335.

and all the men to Carey four days provition on ther backs, like wise Stated that in three Days after the arifele [arrivall] at Jackson Camps we cold have the Creecks at our feet Compleateley.

General Jacksons leter further States that if the United States Required it of us that we cold Eat our new yars Diner in pency Coley [Pensacola].² this morning General Cock Sent aney Express on to the Georgey troopes³ which Lays in the frunteeres of the frendeley Creecks Side about one hundred miles from this plase to march on throw the Creek nation with Speed and Care. It is said that ther Commander was not worth one fig. the Last account that I recived from the Georgey troopes was Expected that Goviner pinkey [Pinckney]⁴ woldbee Commander of the hole of the Georgey troopes.

December 5 day 1813--On this morning one of Colonal Waires⁵ men Dyed with the plurecy in the head. I under Stood that one of the horse men Dyed be tween heer and Rosses, a grate maney of ther Horses was likely to give out on ther way to Roses for the lack of feed---

this Day ther Came two white men Running to the In Campment and said that ther was Some Creecks indians fired at them. James Willhite⁶ was close wheare the men Came Runing, I and he Came to my tent much alarmed. Capt McLing hapened to bee at my tent, we Did not beleave it but in a few minits major Smith⁷ Came Riding round the Loines [lines] and give orders for Everey Captain to have his men in Readyness for ther was Creecke Indians Close at hand. Some men Run Everey Derection and Shott all throw the Campes. My men behaved verey well not one of them Shot all of them war loding that was not Loded, and when the men

²Jackson had known all the while that the Spanish were instigating the Creeks against the Americans. A letter to Leroy Pope, October 31, 1813, says: "The irregularity of supplies has retarded my progress very much, and I am anxious to reach the center of the Creek country, and give them a final blow, and then strike at the root of the diseas pensacola." *Ibid.*, I, 339. See also Jackson to Holmes, in *ibid.*, VI, 428.

³The Georgia troops were led by Brig. Gen. John Floyd and Gen. John Adams. *Ibid.*, I, 364. A letter from Jackson to Gov. Willie Blount, December 29, 1813, says: "We have got within 90 miles of each other [the Georgia troops]." *Ibid.*, I, 419.

⁴On November 7, 1813, Daniel Parker, chief clerk of War Department, notified Governor Blount that Governor Mitchell of Georgia, having declined re-election, the President of the United States had ordered Maj. Gen. Thomas Pinckney to take direction of the expedition against the hostile Indians. *Ibid.*, I, 351, n. On November 16, 1813, Pinckney notified Jackson that he had been so ordered. *Ibid.*, I, 363.

⁵Col. Samuel Wear (1753-1818) commanded a regiment from East Tennessee from September 23, 1813, until January 1, 1814. Tenn. State Archives. He was a veteran of the King's Mountain campaign and an early settler of Sevier county. War of 1812 Records (in possession of the editor).

⁶A private in Hartsell's company.

⁷Alexander Smith. See note 91 in first installment of this "Journal," *Publications* No. 11, p. 113.

was Ready I started to Heare what to Doo and met Major Smith Coming Down the Loines and he Said that ther was nothing the mater, ther was Some of the White men ahunting and Shot at Some of ther one [own] men to See wheather they wold Run or not, but they Run like lusty filowes. yester Day and Last knight was verrey wet and windey. Captain oliver⁸ was arested and tryed two Days be fore a cort martial before the tryale was Desided. the cort martial found sd olever guilty of the Charge and brock him, all his men got on ther knapssacks on and marched out of the Camping ground, then they was marched to the General tent whare ther Captain was which they found him in teeres, the General as Stored [restored] him again, and ther was one glad oficer, and his men was glad. I was at the cort martial one Day and the Captain head [had] hired a lowyar [lawyer] the major that arested the Captain hired another lowyar and they argued verrey Strong on both Sides. that was the first Cort martial that I ever Saw Lowyars Speeck on in my Life---

Last evning General Cock went to the Deferent Companey's in Colonal Waires Ridgement to See how maney men wold Volenteere ther Selves for twenty Days Longer to goo to join General Jacksons army to goo to the hickrey groundes.⁹ the hole of the men that he cold Raise was thirtyeight oficers and privates to goo. this is about as Rainey a day as I ever Saw in my Life. the water Standes all over the InCampment nareley, the wind blowes the wind and the Smoke throw the Campes.

December 7 Instant-aney Express¹⁰ Came to General Cock about tow [two] oclock in the morning. about the brack of Day I went to See the General whare I met with Several other oficers. the General amedeateley Red the Express to the oficers present, whitch the General told the oficers to amaeateley to Draw provitions for four days and back [bake] the bread and barbecuw the meat and be Ready to march in the morning by Day light. the leater that Jackson Sent to Cock Stated that the Georgy troops got Compleateley whped¹¹ by the hostile Creeckes about

⁸Capt. Lunsford Oliver led a company in Col. John Brown's regiment. Tenn. State Archives.

⁹The Hickory Grounds were near the junction of the Coosa and Tallapoosa rivers. The Indians were taught that the place was holy ground and that the white man could not tread it and live. The force of the Creeks assembled there was supposed to be about 4,000. The distance from Turkeytown on Coosa to the Hickory Ground was 145 miles, and from thence to old Ft. Toulouse [a French fort established in 1714 near the site of Montgomery, Alabama] was only about three miles. Bassett, *op. cit.*, I, 328, n. 329.

¹⁰"It is my wish that you arrive here by the 12th Inst with 1500 men." Jackson to Cocke, Dec. 6, 1813. *Ibid.*, I, 374.

¹¹This was the Battle of Autosse, at first reported to Jackson as a victory for the Creeks, but later found to have been one for the Georgians. *Ibid.*, I, 373-74, 378; B. J. Lossing, *Pictorial Field Book of War of 1812* (New York, 1869), 768.

seventyfive miles from the plase whare General Jackson fout them, at Some fort on Some River.¹² this morning ther is grate Shooting and grate Confution in the Campos.

Eight Instant--About sixteen hundred troopes Started from Camp Armstrong¹³ to meet with General Jackson and his army. on the Seventh Day in the morning. when I found that my Company had to march, I left the Generals tent and went to my Company and give orders for them to Draw four Days Rations and back [bake] the bread and barbrecew the meet for to morow morning we have to march. my Company Drew ther beefe In good time, meny of the Companys Did not draw any meet. on 8 Instant my Company was Readey to march. I went to the General and asked his leave to march my Company onn to the River¹⁴ and Cross. the General granted me leave. I came and formed my Company the first of any on the ground. Capt McLing was the next Ready. Capt McLing and my selfe and our Companys marched to the mouth of Catehugah.¹⁵ the bote had not Come to the plase when we Came thare. Capt keese¹⁶ from Soleven [Sullivan] and his Company was at the River. In about one hower ther was nine or ten Companys thare, the Cane was so thick that we cold not Stand till the men Did cut it Down.the River Side was Strunge [strewn] up and Down for a large Distance. the bote Came and one Company got over. ther was the most Swaring and pooshing when the bote wold Come to Shore who wold Crows first. Several of my boys Crosed and brought the bote to Shore. I formed my Company and Capt McLings in one body and Stuck to gether tell we Crosed. It was about four oclock when we Crosed and the hole of the troppes Did not Cross tell morning, they was Crosing all the knight. we Crosed and all Camped on the other Side which was the north Side.¹⁷ next morning about Sun Rise we marched after Colonal Browns Ridgement. about ten oclock we pased Colonal Browns Ridgement which afrunted him and all of his men. we halted our two Companys, and wated tell our owne Ridgement Came up. we marched north of west Some. we pased throw Some as poore Land as I ever Saw tell about Leven oclock; then we pased a low gap of the Looock out mountain; then we Came to a field and after wards marched throw Some as goode ground and verey levele as your eys

¹²Lashley's Fort on Talledega Creek. See note 47, in *Publications* No. 11, p. 103.

¹³General Cocke left a small contingent to care for the garrison at Ft. Armstrong, among whom was Capt. Robt. McAlpin's company, Lillard's regiment. Tenn. State Archives.

¹⁴Chatuga River.

¹⁵The Chatuga River rises near Somerville, Ga., and flows south, emptying into the Coosa River.

¹⁶Capt. George Keyes of Lillard's regiment.

¹⁷North side of the Chatuga River, also north side of the Coosa.

ever Saw. we Crosed one Large Creeck and Several small Creecks, and the timber was like the timber In Washington [county]. we Camped at a large Spring on a ridge on the north Side of sd Spring. this Evning ther was at Least two thousand weight of pork kiled and brought to Campes.

Friday 10 Instant--we made a Erley Start. Marched throw verey good ground and well timbred, large popeler and white oack and verey plenti- full of presemon trees. about tow oclock in the Evning Came to one small Indian Hous. about two miles Came to one prety good Cabon. one mile from there we Came to a large field and verey good house with two good porches and a horse mill and Lume [loom], a number of Small Cabenes. we marched about one mile further and Camped on a large hill which we Coled Camp poverty, it was Scarce of timber and water both. ther was a number of meet kiled both beefe and pork and brought to the Deferent Companey.

Saturday 11 Instant--We made a verey Earley Start. we Came to a large Creeck¹⁸ in about one mile, we was at Least tow houers Crosing sd Creeck or River. we marched about one mile and Came to General Jack- sons trase¹⁹ and halted for the Rare [rear] to Come up. whilest we war Seting one man was springing his trigers and his gun went off and Shot a man in his Right arme above his Elbow and brock the bone off. the Docter was amedeateley Sent for to Clense the wound and Set the bone. ther was aswing made be twene two horses with two poles and two tent clouthes and he was brought on into the Incampment. we Came throw a great Deeple of poore Leavele Land and Small River and Crosed the River and marched about one mile and Incamped ona small Ridge, which Convenent for timber and water. the name of the Creeck was Caled Cuncio Creeck.²⁰ to Day we marched a south corce all Day. we Crosed Some verey prety Runing Springs. we wase Cuting of [off] a large pine tree on the Side of the Creeck I Stood by, and Decovered a old Chop in the tree and I Counted the grothes from the cot [cut] out to the barck, and the number of grothes from the Cot maid out twentyfive yeares Since the tree was Cut. ther was the aparence of a old fisch [fish] trap that might have

¹⁸Likely Will's Creek, also a tributary of the Coosa. Further north on this creek was Will's Town, named for an important Cherokee, Will, a red-headed half-breed. F. W. Hodge, *Handbook of American Indians* (Bulletin No. 30, Bureau of American Ethnology, Washington, D. C., 1905-1910), II, 956.

¹⁹General Jackson's route from Huntsville via Ditto's Landing and Ft. Deposit to Strother at the Ten Islands.

²⁰Canoe Creek, which flows east emptying into the Coosa. On October 28, 1813, Colonel Dyer, detached from Coffee's brigade, fell upon the Indian village of Littefutchee at the head of Canoe Creek, laid the town in ashes, captured twenty-nine prisoners and a good supply of corn. Lossing, *op. cit.*, 761; also A. J. Pickett, *History of Alabama* (Montgomery, 1851), 294.

bin built fifty yeares agoo. I discovered a large Logue laying in the water with Several morteses in the Loge tolerable Large. we marched about one mile and Incamped on the South Side of a verey prety hill, verey prety Runing Spring. the name of the Camp was Camp Harrison.²¹

Sunday 12 Instant--Started about Sunrise. Marched throw Some as poore ground and hiley and stoney you might a thought that ther was Snow on the ground By the lucks of the gravele. we Crosed Several Creecks and Came to the River,²² Whare the men had been giging the Side of the mountain down to make a rode for the wagons to goo with the provition. we surposed the River to bee three quarters of a mile across whare the hole Chanele Run together. we marched to the ten Islands²³ whare General Jackson Lay with his armye from West Tennessee. on the arivele of the troopes from Est tennessee General Jackson fired three Canons off²⁴ which was the first that I ever heard in my life. Jacksons Troops preraded in Several Loines to recive us. ther fases was all Strange to me, the men Looked verey bad In general. We marched throw the Incampment. on our Returne I saw Charles Sevier²⁵ from obes River.²⁶ as Soon as we wair Dismised Charles Sevier Came to my Incampment to See the Washington Troopes. he seemed verey friendeley and naural. he invited me to walk with him to the garison. I went with him to General Jacksons markee whare I saw the gratest flage that I ever Saw in my Life.

I and Major Sevier Talked about the batele²⁷ that Jackson and his men fought. he told me that the men onley Drew one halfe Ration of beefe be fore they was marched on to the batele and fought the [battle] and

²¹No reference to Camp Harrison has been found, but it must have been located between Canoe Creek and the camp at Ten Islands called Ft. Strother.

²²The Coosa River.

²³See note 45, in *Publications* No. 11, p. 103.

²⁴Jackson wrote to Coffee, December 12, 1813: "Genls Cocke and White has Joined me to day with 1450 of as fine looking Troops, as you ever saw." Bassett, *op. cit.*, I, 387.

²⁵Charles Robertson Sevier (b. 1778 in Green co., d. 1855 in Ellis co., Texas) was the son of Robert Sevier and Keziah Robertson. The father was mortally wounded at King's Mountain, and his widow afterwards married Major Jonathan Tipton. Charles Sevier went to Overton county, Tennessee, about 1800, and was major of the county militia in 1806. He served as 2nd major in Col. Thomas McCrory's Second Regiment, Tennessee militia, and later migrated to Texas and there died. War of 1812 Records.

²⁶Obed River, a tributary of the Cumberland.

²⁷Talledega, fought November 9, 1813. Major Sevier and Colonel McCrory were both cited by Jackson as "... entitled to great praise for their bravery on that occasion." Bassett, *op. cit.*, I, 349. On October 23, 1813, Jackson wrote: "There is an enemy whom I dread, much more than I do the hostile Creek, and whose power, I am fearful, I shall first be made to feel. You know I mean that meagre-monster 'Famine'." *Ibid.*, I, 335.

marched back to this plase, and never Eat aney thing but the halfe Ration of beefe tell the was heare two Days. the[y] marched on tordes Ditoes Landing and met the provition Comming, and the[y] turned back and Eat Roy hides and Slunk Calves and the gutes and tripes of the beeves be war Ishued out to the men. Charles Sevier told me that he head Drawed onley three yeares of Corn for Six Days provition. number of the men Did not draw aney thing for the Same Space of time. he told me that he Saw Some of the men hunt Corn that the horses head bot off the Cobs before the[y] went from heare that was trod in the Dung and parch it and Eat it. this Day Capt McLing and my Selfe Drew meet and Capt McLing, Capt McKeese, Capt King²⁸ and my selfe Drew one barele of Corn meelee for our fore Companeyes. this was the first mele that was Drew in the three Ridgements of Est Tennessee. ther was more Con-
fution than I ever Saw in my Life at one plase. ther cold hardeley bee aney thing bee Dune for Cusing and Swaring amongst the men--

Monday 13--there was two Volenteere Companeyes²⁹ of West tennes-see Dismised to goo to Nashvill, in Cumberland, and Stay untill the[y] Recived further orders from government. this is part of the men that Inroled ther selves under General Jackson one yeare to goo to the natchey,³⁰ and went and Stayed four monthes of thertime, and ther was nothing for them to Doo, and they war dismissed at Columbia,³¹ toll further orders. Jackson Coled on them three munths for to fight the Indians, and they wold not Stay aney Longer on the acount of ther bad usage and it much afrunted General Jackson and I heared him Sware that he wold Right [write] to the Government to send them onn to the natchey Cunterey to Serve the Balance of the time, which wold bee five months Longer. we East tennessee Volenteeres air much Displeased at ther usage at this plase. we wold bee verey glad to march on to the Hickry ground, as Soon as posobele. We have nothing to Cuck in but one tin bucket for all my Companey, and we Sufer much at this time. I seeme much Disturbed In my mind to See So much Raskality Caried on and men Sufering on the ocount of It. Some of the men has to Coock in a tin cup In Stead of a boten [bucket].

²⁸Capt. Benj. H. King, in Lillard's regiment.

²⁹The First Brigade of volunteer infantry, commanded by Brig. Gen. William Hall, comprised the First Regiment, led by Col. Edward Bradley, and the Second, led by Col. William Pillow, of about 1400 men. Only one commissioned officer, old Captain Williamson, remained. Jackson contended that their enlistment had been for one year of service, exclusive of the time spent at home between the Natchez expedition and the Creek campaign, while they urged that the year had passed. *Ibid.*, I, 392.

³⁰On the Natchez expedition the troops had been ordered discharged en route, but Jackson brought them back to Columbia and issued a discharge until further orders. They now claimed a complete discharge. *Ibid.*, I, 385.

³¹The county seat of Maury county, Tennessee.

December 14 Instant-- We did not draw aney thing but one gill of meale to a man. ther Is as much confution heare as I ever Saw and more then I wanted to See at aney plase. ther Is at least thirty thousand weight of pork at this plase now. ther Is Four hundred Beeves now at this plase, Some verey large ones. I think the[y] wold way at least three hundred weight Round. ther Is not aney meale at this plase now, but ther Is two Boat Loades about five miles up the River, and It Cannot Come tell the River Rises, or tell the wagon Comes from Ditoes Landing.³² the wagons is expected Everey hower

Wensday 15th Inst--It Is a verey warme morning and Raney.ther was at Least one hyndred Campes built by Eight oclock in the morning. this morning we head to furnish one hundred men out of our Ridgement for to Stand gard and to bee on furteuge [fatigue]. We air now In Camped on the South Side of verey pleasant hill midelen handey to wood but verey Unhandey to water. the name of this fort Is Caled Fort Strather.³³ General Jackson Stays in his markee In Side of the fort.³⁴ General Cock Stays inside of our Ridgement with his Life gard Round him Day and knight, one Captains Companey to gard the General ever Sence he has bin at this plase. Last knight one of the trupes that Lay at this plase Dyed, and to Day about twelve oclock he was Caried to the grave. twelve men marched in frunt of the Corpes with ther gunes Caried at a reverse to the grave, one halfe of them marched the Right and the other halfe on the left, and the Corpes was layed in the grave and about halfe Covered and ther was not one word Spock, as I heard. I Stood in five feet of the grave.the Commander told those men to Rest on

³²Ditto's Landing, on the north side of the Tennessee River and south of Huntsville, was a base of supplies where General Cocke had contracted to send those from East Tennessee. Boats could not come down in low water, so supplies had to be brought overland. Camp Coffee was on the bluff opposite Ditto's Landing. *Ibid.*, I, 325, 328, 332. "Tennessee, like most of the western rivers, is not navigable in its upper waters in dry seasons, and the flour which General Jackson expected to find awaiting him at Coffee's bluff, was still hundreds of miles up the river, 'waiting for a rise.'" James Parton, *A Life of Andrew Jackson* (New York, 1860), I, 430.

³³Ft. Strother, built by Jackson during the first week in November before the battle of Talledega, was located at the Ten Islands of the Coosa, on the upper or left side. It was named for Capt. John Strother, who served as topographer during the Creek War. Pickett, *op. cit.*, 295. Strother later served under Col. Philip Pipkin, from June 20, 1814, until January 27, 1815. He went with Gen. John Sevier in June, 1815, to run the Creek boundary line. Sevier's Diary records: "Fry. 18 last night Majr. John Strother departed this life intered to day." S. G. Heiskell, *Andrew Jackson and Early Tennessee History* (Nashville, 1920), II, 613. It is interesting to note that John Sevier died about one month later, also in Alabama.

³⁴It must be remembered that Jackson was ill and still suffering from the wound received in the Benton duel in September. He also wrote a great many letters and addresses, for he made an address before and after each battle.

armes Reversed and the[y] Did So. then the Commander Sholder armes, make ready, then the word fier was given, the[y] fired in the air, amedeateley loded and Came to asholder, make Redey, fier In the air, then the[y] maid Redey and pointed ther gunes into the grave and fired, fased to the Right and left, the fife and drum beet the quick Step and marched off to ther deferent tents. It was the Stilest beriang [burying] that I ever Saw in my life, all but the firing of the platoons that was fired-- the man that was beried had not bin Long maried one or tow days before he left home.

16 teenth Instant-- ther was two Ridgements Dismissed, Colonal Waires, Colonal Browns and the[y] marched all the men of the three Deferent Ridgements³⁵ was formed In a soled Colom on the Senter of the In-campment. ther was about be tweene two and three Thousand men in a small Compas. ther was two Sheetes of paper³⁶ Rote on Both Sides. the first, in treatment of the Leter Spoke Largeley of the Saveges Invaiding of our frunteeres Spiling the Blude of the Inesent; In the Second plase, he Intreated on the ware fare wat glories and prospres Campaign we haed so faire not with Standing the Defecilteys that he head met with by Dis-appointment of the Contractors; therdeley, Stated that he understood that we was Six munt men but Sence we arove he understood we war onley three monthes Volenteers and was not furnished to Stay Longer for the want of Clothing; forthley, Stated that the Sepreeme [God] Cold [could] not make a beter Set of men for the business then ther was at this plase, and he maid now [no] doubt but ther was maney of those men wold Returne home to ther Deferent homes and ficks [fix] ther-selves and Come on and See the Campaign Ended. Stated that the Glorey was In our handes and he hoped that the Setesons [citizens] of East and West tennessee wold not Let him Stay and Sufer on Such a good glorise Cause; hoped that maney of those Gentele men wold Come as oficers or as Soldiers. he Stated that it toock a good seteson to make a good Soldier, and he Stated that ther was word Came to him Last knight that ther was newse Came to him that the Contractor had not Isued Compleat Rations of meet and flower. he underStood that we had not Drew only three quarters of porke Isued to Each men. he Stated to our oficer that we war all Soldiers no Doubt and a soldier out [ought] to have ther Dew [due] for the Contractors made it In ther one [own] pockets. he Swore that we Shold have full Rations from this on.

³⁵General James White's brigade of Cocke's division was also dismissed on December 15. They were to go home, while Cocke was ordered to East Tennessee to collect supplies which he should send to Ft. Armstrong, a post of deposit. Bassett, *op. cit.*, I, 395.

³⁶*Ibid.*, I, 393; also General Orders, Ft. Strother, in *ibid.*, VI, 429. Jackson's aide, Maj. John Reid, read the letters to the soldiers.

17 Instant- We maid out a returnes for two Days, and I went to the market house and Saw the meet Drew my Selfe, and the meet was sent to the Incampment. I then went to the plase whare the meelee was to bee Drew and I my Selfe opened five or Six barels of Corn meelee, that one third of the meelee was Spoiled. I condemed the Spoilt meelee and threw It into other tubes and I hunted tell I found a barrel of good meelee and Drew for my Companey and Sent the Same to the Incampment. when I returned amost all the men Swore that they wold not Eat the meet that was Drew - John G. Rubele Said that he wold take the meet back to the block House and Drew beter meet. I told him that he Cold not Drew aney beter meet and that this meet wold dow tolerable well, but he tooock the meet back and the[y] Sent him back and the meet Likewise. the meet was tolerable good. this Day Drew Whiskey at this plase, one gill a peese for Each man. We mustered my Companey and Capt McLings together to Day at Fort Strather. this is a verey warme morning for the Season, the fog Stayed tell ten oclock before It went off. I went to the River in the morning and the fog was so thick that I cold harley find the Rode, It was Darker than when the moon Shomed Some knighte. I thought that I Cold Smell the fog verey plain. this afternoon we all was ordered to perade our Companeyes to bee reviewed by General Jackson. he told Ajedent nolen to muster the Deferent Companeyes. when he Came to the End of the Loine, the General told the ajedent to muster the Rest by bretalion. when we war done mustering, I went to whare Colonal Lillard and the General was Standing, and Colonal Lillard Made the General acquainted with me and Capt McLing, and [the General] told us that we both head proper Companeyes of young brave Boys Such as he wold wish to meet with the falow boyes. he told me that he head Seed me in Jonesborough³⁷ Several times, he told me to Come to his tent when I had Leashure and See him, that he wold be verey glad to have a small acquaintence with me. he Stated that It wold bee on posebele [impossible] for beter meletials [militia] to be maid then was haeve at this time. he said that he wold bee verey hapey to give us a crismass [Christmas] frolick. he Said that he head bin [in]formed that ther was Some indians in hiding about fifty miles below heare on the River. This Morning ther Came two men³⁸ to General Pinkney to General Jack-

³⁷Jackson, while serving as a judge, was often in Jonesboro, holding court, and had probably seen Hartsell on those occasions.

³⁸A Mr. Robert Sorrels and a Mr. McCanless (McCandless), who had been sent on November 22, 1813, with a letter from General Claiborne of the Mississippi militia, from the residence of John Pitchlynn (Peachland), the interpreter with the Choctaws. Col. John McKee was agent to the Choctaws with headquarters on Pearl River, about 170 miles above its mouth, on the Nashville-Natchez road. Bassett, *op. cit.*, I, 325,n, 358.

sons army, the[y] war Sent from Beach Land,³⁹ whare the troopes from tombigbay⁴⁰ head gathered and part of the Chocktoys⁴¹ indians. the two men warsent to the Hickrey groundes, on his way heare he felin with General Pinkneys army from georgey. then he Struck for the Hickrey groundes and before he Came nare the plase the[y] Decovered So much Signe of Indians the[y] Struck further up the River and Crosed Coocey fifty miles below heare and Came up the River tell the[y] Came heare. the Same man that Came new [knew] Rusel Bean,⁴² and Rusele Beanes Brother in the Chocktoy nation,⁴³ and he inquired for the name of been [Bean] from East tennessee. when he found Rusele Beene the[y] knew onenother. I talked with one of the men one or two hours on the purpose of ther being Sent So fair for Speyes. the Gentele man give me grate Satesfaction on meney things that we taulked on, Conserving the water Corses and the Land and the timber. he told me that ther was verey good Land on the South Side of the alebamey,⁴⁴ and tolerable well watered and prety good timber. the north Side of the River was verey brocan and Stoney. he Said on the tombigbay, that ther was Some verey good land and Some verey Sorey Land, the water was Generaley bad and Scarce. he Said ther was Several Small Rivers Emped into the magor River that apared to bee verey good Land, and the water was tolerable good on talow Dego.⁴⁵ ther was Some famous River botomes, verey Large and Leavile. he Stated that ther was the largest Cain Brackes that he ever Saw In his Life, verey Large timber of Everye kind amost, a grate meney Shugartrees, Large walnut timber. he Said that the River Run with a very prety Chorous and midelen Deep.

³⁹He means Peachland's (Pitchlynn) at the mouth of Octibaha River. See note 38 above.

⁴⁰The Tombigbee River lies west of the Coosa, which unites with the Tallapoosa to form the Alabama. This latter joins the Tombigbee to form the Mobile. Gen. Ferdinand Claiborne, the commander of the Mississippi militia, was stationed at Ft. Stoddart on the lower Alabama and at Ft. St. Stephen on the Tombigbee. Bassett, *op. cit.*, I, 358,n.

⁴¹The friendly Choctaws were led by their chief, Pushamataha. The Chickasaws also joined the Choctaws. Lossing, *op. cit.*, 762. It is of interest to note that the venerable Gen. James Robertson was agent to the Chickasaws at this time. Bassett, *op. cit.*, I, 319,n.

⁴²Russell Bean served as a private in Capt. William McLin's company, Lillard's regiment. He was transferred on December 13, 1813, to the West (Middle) Tennessee troops. The son of William Bean, Sr., he was the first white child born in Tennessee.

⁴³Twelve Beans enlisted in the Tennessee troops during the War of 1812. The brother referred to was probably Lieut. Jesse Bean, of Capt. William Mitchell's company of spies. Bean's brother-in-law, Samuel Mitchell, was about that time an agent to the Choctaws. Tenn. State Archives.

⁴⁴The Alabama River, after the confluence of its two tributaries.

⁴⁵The Talledega River rises in Clay county, Alabama, flows west through Talledega county, and empties into the Coosa. It is not navigable. T. M. Owen, *History of Alabama* (Chicago, 1921), II, 1295.

Sunday 19 Instant--all of the oficers in Colonal Lillards Ridgement was peraded in the Senter of the Incampment with ther gunes to bee Driled and trained, agreeabele to Dewvaines Millitia Instructor.⁴⁶ we all preraded and formed a straight Loine and Commenced to goo throw the maniel Exersise. ther was Several motions that I never Saw before in my Life. It was Strange to all the oficers that was on the ground. the magor General Said we purformed verely well. he formed Devitions and and Sub Devitions from a colem of four men Deepe, and from the Sub-devitions formed a colem, and from a colem formed a platoon, and from a platoon formed a Single file.

On 20 Instant--It Is verely wet over knight and amost of to Day. ther was two Companeyes went out acouting [scouting] on this Side of the River.

On tuesday 22-- ther was fourteen of them Came to the Incampment. those fourteen Came in horse back, with Everey horse Loded with Corn, and the[y] Said they head bin about twenty five miles Down the River. they Said that ther was about one hundred bushels of Corn in a crib, and Some in holow trees. the balance of the men ment to goo some further and See wheather they cold not find aney more property, and If they Cold not, they wold Come in two or three Days. the[y] Said ther was no fresh Sine of Indians to bee found whare they head bin. on this Evning ther was newse⁴⁷ that General Jackson head Received orders from the Governor that he ment to keep us Six monthes. ther was more confution In the Campes then I ever Saw in my Life. I cold Not help lafing tell my Sides Did ack, Concerning the Deferent apinions of the Captaines and the apinions of the privates. Some Swore that before they wold Stay three monthes they wold kill General Jackson. Some Swore that they wold desert, Some one thing, Some another thing, Some Said that they wold Loose all ther wagons before they wold Stay aney Longer.

On Wensday the 23-- the wagons Started to Fort Depausit⁴⁸ for more provition. one man was coled from Each Company for to gard the wagons. Richard Hail wint out of my Company. this Day my Com-pany Is in Number Sixty fore oficers and privates, Some at fort arm-

⁴⁶Likely an old military book.

⁴⁷Governor Blount in his letter of December 15 had actually advised Jackson to discharge the volunteers even though they "were detached for six months' service," since Colonel Carroll was recruiting another force of equal size. Bassett, *op. cit.*, I, 393.

⁴⁸Ft. Deposit, fifty miles north of Ft. Strother, was established by Jackson about October 28, 1813, as a defensive depot. Located on the southernmost point of the Tennessee River in Alabama, at the mouth of Thompson's Creek, it was twenty miles below Ditto's Landing. Bassett, *op. cit.*, I, 336n.

strong Some at one plase, and Some at Fort Depauset. We have generaley to furnish Eleven men for gard and fortigue [fatigue] besides the oficers and non commitioned officers--

This morning a Lieutenant from East tennessee Dyed, and was beried at four oclock in the afternoon, by the Generals orders agreeable to the honors of ware. toDay the three Ridgements was Drew in three soled [solid] Cholomes and a leter from the goviner of the State of tennessee Concerning the Deferent troopes that was from Deferent partes of the United States against the hostile Creecks. the govivor Stated in his Leter to General Jackson that he hoped that the Volenteers from East tennessee wold not Leave him untell he Recived a reinforcement of men to goo on to the hickrey ground, he further Stated that govenor pinkney⁴⁹ from georgey State head marched to the South Side of the alebamey, and was waiting for the arivele of General Jacksons and General Cocks army to meet with him heare; he Stated that General fenoy⁵⁰ had Sent five hundred barels of flower on to govenor Clayburnes army, and that govenor pinkney head taking a large quantety of cattle and hoges and about fifteen hundred bushales of corn; and he Stated that that was the riches part of the Creeck nation; he Stated that the Indians head run off ther property into the black mountains.⁵¹

23 Instant--General Jackson Received a Express from govenor pinkney, that he had a batele⁵² with the Creecks nare the hickrey ground, not fair from the fish Dames.⁵³ he give aney account of ther killing about two hundred on the ground of the Indians, and he head Lost Leven of his men and about fifty wounded In all. on to Day I was the oficer of the gard and the Countey Sigen was Reid.⁵⁴ It was a verey pleasent knight, I was put on at ten oclock and Releived at half after ten the nex morning. ther was the Spey Company of horse Came in to Day

⁴⁹Thomas Pinckney, major general and commander in chief of the entire Southern Department.

⁵⁰General Flournoy of Georgia had been ordered by Pinckney to send a convoy of provisions up the Alabama to the forks of Coosa and Tallapoosa rivers. *Ibid.*, I, 408.

⁵¹So called from the richness of the soil.

⁵²The Battle of Autosse, on November 28, 1813, between the hostile Creeks and the Georgia troops aided by friendly Creeks led by William McIntosh, of the Coweta tribe. This village was on east side of Tallapoosa, near mouth of Callabe Creek, and was one of the residences of Alexander McGillivray. General Floyd, the Georgia commander, was wounded at this battle. The Indian loss was 200 killed while the Americans lost 11 killed and 54 wounded. It was first reported a Creek victory. Lossing, *op. cit.*, 768. See note 11, above.

⁵³The large fish trap (or dam) on the Coosa, near the Hickory Grounds.

⁵⁴Major John Reid, Jackson's aide-de-campe. Reid began a life of Jackson, but died in 1816, and John Henry Eaton finished it in 1817.

and give aney account of fifteen hundred horse that was at huntes Vill,⁵⁵ and they wold not Come aney fother. one of the men told me with his one [own] mouth that the General Cofey head poot Several of the horse men in Jaile, and they [the] Rist of the men brock oping the jale, and tooock the men out of the jale and Swore that they wold kill him If he Resisted. he Said ther was Noresistance.⁵⁶ he further Stated that ther wase about fifteen hundred foot men Comming on Short Ley. he further Stated that ther was word gon on to the beoard of ware Conserving the Conduct of General Jackson about the usage that he head give his men. he further Stated that It was the apinion that General Jackson wold Never head another armye from West tennessee. this man was averey Clever Deesent man by his apearance.

24 Instant--ther was nothing Strainge hapened, but two of the Cherokees Spyes Came in with two Culeyes that they head taking from the Creecks. he Stated that the[y] Decovered Seven or Eight and keled two of them, and they Stated that the hole of the Creecks wold make peese [peace] on aney termes. on this Evning I went to Everey tent on my men and told them not one of them to Shoot a gun. they Did say about two hours before Day ther was two Cannons fired off. In about two minetes ther was Several gunes fired off. Instantley firing Comenced all Round the Incampment. Capt McLing and my selfe head In the Evning Concluded that we wold not fier one gun, but after all the Rest was firing he ordered all of his men in to a line and fired. I was Seting in my tent Surprised that he wold fier after agreeing not to fier in the Evning, but he head not long fired before the ajedent Came Round and Commanded Everey man not to fier one gun. I was well pleased to think that Everey Company Disobeyed orders but my Company.

25 Instant--I went to the block house and found the General aswaring that he head amind to take Everey Sord from the melitley and brack them of ther Commitions. he Swore that If the[y] head abin not Stoped they wold Shot Everey pound of powder that they head. he further Stated that the Indians might abrockin and kiled halfe of the men be

⁵⁵Huntsville, Madison county, Ala., settled in 1805 by John Hunt, who lived there until 1808. The name was changed from Twickenham to Huntsville in 1811. It was used as a depot of supplies by Jackson. Owen, *op. cit.*, I, 718.

⁵⁶Coffee had allowed his regiment to refresh their horses and return to Huntsville. There they became mutinous, refusing to cross the Coosa and return to Ft. Strother. He wrote Jackson on December 18, 1813: "How long I can continue the men under my command I cannot pretend to say." Jackson replied, December 22, 1813: "I have to request a report of every individual both officer and men that were engaged in overawing the Geoler of Huntsville, and compelling him to liberate the prisoners. . . ." Bassett, *op. cit.*, I, 398, 404.

fore they wold new aney thing about it. I thought that he was Right. It appeared that the world was Shuck with the Reportes of ther gunes, the firing Continued from about two houres before Day untill the brack of Day. I met with major pickens⁵⁷ from west tennessee. he was verely glad to meet with me. he asked me about all of his old acquaintences in washington. I returned home and ther was orders to purforme the manuel Exercise. we all made the gratest aparence that I ever Saw in my life, all of the men was armed as the Law Deredcted. in everey point the men purformed ther Dewteyes verely well. we was all Drew in one Straight Loine and all the oficer marched to the Senter and Recived ther orders to Returne to ther Respective Companeyes and march them to ther homes and Desmiss them. after the Dismissing of my Companey, I went Down to major Seviars tent, and Several of the majors and Several of the Docters and my Selfe Commenced that game Coled town ball,⁵⁸ for to heave It to Day we head no other Sport for acrismass frolick.

26 Sunday-- Sergeant major turnley⁵⁹ Came to the Deferent Captains tents and told them to make out ther opinions for General Jackson. Stated that ther Surplyes of forty Dayes of beefe, and pork two Days, bread Stuff for two thousand men, and In two hours major turnley was to Come back and know the opinions of the officers, but Instead of Coming back, he Stated to the General that ther was three Capt willing and purhaps meny more If it was put to the test. amedeateley orders was to perade our Companey and to form them in one Strate Loine, to know how maney of them wold tender ther Servises to meet the Inemy with what provition ther was on hand. General Jackson Stated that he wold order the horse men on with forch marches in the rare of the foot troopes; he further Stated that he wold head the troopes with great pleasure. after the men was Drew in one Loine, the Capt was Caled to the Senter and the Leter was read, then It was handed to the oficers to Sign ther names. Capt hambelton⁶⁰ Signed his name to the paper, Readey to goo aney wheares. Colonal Lillard twock the paper and as all the oficers Stood in aring he Came to me and asked me my apinion. I Stated to him that under the present Surcomstance I wold not turn out. then he went round the ring, and all the Capt Said as I said, which mad

⁵⁷Capt. James B. Pickens, in Gen. Isaac Roberts' brigade, was one of those arrested and tried for mutiny, but whose sentence was shortened because Roberts was blamed for their conduct. *Ibid.*, I, 456. Pickens was a native of Washington county, East Tennessee.

⁵⁸Similar to baseball, probably derived from the Indian's "ball play."

⁵⁹George Turnley, of Jefferson county, served as sergeant major in Lillard's regiment. Tenn. State Archives.

⁶⁰William Hamilton, of Powell's Valley, had offered his services to Jackson in a letter dated December 17, 1813. Another captain, George Argenbright, had also offered his services. Bassett, *op. cit.*, I, 397.

amajority of all but one; then we are ordered to returne to our Deferent Companeyes and march them home and Dismiss them. In the Evning the old Sergeant major Came to my Company and the boyes Coleted Round him and formed a company and mad Everey kind of musick In the hith [height] of Sport; Intered [introduced] Capt McLin to him and Stated that this was major turnley, the major of the volenteers, which Struck him to the heart. by this time the men gathered from all the Com- paneyes round him, and plaged him tell he Cryed, and Drumed him roun the Loines[lines], and faced him to the right about; Dismissed him. this was the head time that I ever saw in my Life; it pleased Colonal Lillard to the heart to See the Sport in the morning.

27 Instant~ he threw up his Commition, and Sholdered his napsack, and went off with much Jeoy to all the troopes in the Ridgement.

28 Instant~ We Drew half rations of meelee, and the balance in beefe for two Days. It was all the meelee at this plase, ther Is Some Coming on with the wagons from fort Depauset; it is Expected on Everey Day. General Roberts Is Expected In Everey moment with about two hundred foot men. he marched his men in about three miles of the plase and In- camped them, and Came onn to See wheather the General wold Except them as three monthes men or not. General Roberts⁶¹ Swore if he wold not Except of ther Servises as three monthes men that he wold not march any further, and wold Discharge them and let them return home to ther native Cunterey. he further Stated that those militley that was heare onley inroled for three monthes, and that Some of them was verely poore men and had noother way of making aliving but to farmit. General Jackson Swore that that matered nothing, when men was at ware they must Stay tell they head Doon ther Cunterey Servise, and the men Shold Stay ther Six monthes out. General Roberts Swore that the men Should not Stay any longer than ther times was out. the[y] pased Several verely high words, and both of them Drew ther Sordes and Swore vengenes one against the other, but it was Squashed without any blowes. General Roberts went to his tent and amedeateley purseded to righting one Leter after another. the[y] both Sent Leters all this knight, back and foredes. the[y] have not Deturmined ther bisnes this morning. on this Evning General Roberts went to the General and Stated to him, that If he wold recive his men as three monthes volenteers he wold Dismiss them. the General Jackson told him he wold recive them as three monthes men, but he wold not bee acounteabele for the payment off of them.

⁶¹General Roberts had left to find fresh recruits. When they came within two miles of camp, Roberts went into Ft. Strother to ascertain whether Jackson would accept them as three months men, and if they would be paid. Bassett, *op. cit.*, I, 420.

On 29th the General went to bring the men in and the men wold not Come. on General Roberts returne it maid a grait Confution. It highlye afrunted General Jackson.⁶² toDay about nine oclock in the forenoon I was Sumonesed to atend at Colonal D Windeles⁶³ tent to Set on a tryal Conserving four out of Colonal Lillards ridgement, Conserving ther killing a hogge, or hoges, that they ware Caut Skinning and Cuting up. the Cort martial Deturmined that they Shold work on furtugue three Days for the Second ofence, that was for Leaving ther Companeyes with out Leave of ther Commanding officer; the[y] war to work on furtugue [fatigue] one Day for that ofence. On the Same knight ther was three of Capt Dykes men toock under gard for ther being out of the Loines of the Sentinals before a Cort martial was purmeted to bee kept under gard one Day and knight, and to bee on furtugue one Day. the Cort martial adjurned tell the 30th at ten oclock. when we Did meet ther was one man out of Colonal D Windeles ridgement to bee tryed for Leaving his post, which Come not Short of Deeth, but on tryal he proved that he was not plased by a noncommishioned officer, and he was Clared by the Cort martial. Colonal D Windell was presedent of the Cort martial. ther was three Capt out of Colonal Lillards ridgement, three out of the other ridgement; Major taylor⁶⁴ was adjedent of Sd Cort martial. ther was Some verey Smart officers from West tenessee, and Some that was verey indiferent in my opinion. the Cort martail was tyed in evening all most everey time, and the presedent head to give the Casting vote. the Last man that was tryed everey man Did agree on the questing.

December 31 Day 1813th Govenor Blunt Sent a express to General Jackson,⁶⁵ that It was his opinion that he headbeter Dismiss the melitey that he head under his Command, or order them back to nashvill and Dismiss them theare. Govenor Stated that he head not undertook the bisness of the Sectarey of Wars, but he further Stated that the men head head a verey hard Campaign and by Dismissing them they might offer ther Servises Sooner again to Stand In aney oposition that might take plase; he Stated that If ther was nomore men Left at the plase, ther wold

⁶²The final outcome was that the 191 recruits deserted after Jackson's orders were read to them, and marched home. Roberts was ordered to go after them and return them. *Ibid.*, I, 428.

⁶³David Wendell was a son of David and Susannah Deaderick Wendell, of Frederick county, Virginia, who settled near Nashville, Tennessee.

⁶⁴Major Samuel Taylor, first major in Col. John K. Wynn's First Regiment of Robert's brigade. He enlisted October 4, 1813, and was discharged January 4, 1814. Tenn. State Archives.

⁶⁵Willie Blount to Jackson, December 22, 1813, in Bassett, *op. cit.*, I, 405; Parton *op. cit.*, 479. See also Jackson's reply, December 29, 1813, in Bassett, *op. cit.*, I, 416-20; and Jackson to John Armstrong, December 30, 1813: "Gov. Blount has lately recommended a return to the settlements with all forces under my Command, and a temporary abandonment of the Campaign." *Ibid.*, I, 425.

keep The plase untell ther wold Come provition Suficiant to the plase, then order a suficiant quantity of men there to goo onn without more Delay that the Campaign might bee Ended in a short time. he further Stated that the army was Laying as a dead Weight on the United States, and he thought the more he Cold Dismiss the beter it wold bee, for the men and for the United States.

January 1st Day 1814--It was a verey pretty Cleare Day and verey warme. about ten oclock in the morning I was Caled on to Set at Cort marial to try Several privates for being absent without Leave. this Day my Lieutenant⁶⁶ was arested for on Gentlemanley Conduct, the Generals adicamp⁶⁷ ordered me to give to him the Lieutenants Sworde and to bee Sponsebele for his apparience next Day at ten oclock, to bee tryed before a ridgementele Cort marial. I was Sumensed on tryale, and when the Cort martial head meet, I refused to Set on tryal and they Let me off and Sat another member.

On Sunday 2 Instant-- ther was a man dyed, he was one of the old Volenteeres that was left Sick behind, the mans name was Thomas B Clurcher,⁶⁸ a privat. ther heas binn a berion everey Sunday Sence we have binn heare. on to Day ther wase one hundred pack horses Come from huntess vill with Meale. they was unloded verey quick and Sent back for more to Depauset, and the Same Day ther wase one hundred and fifty three Steeres brought in for the army. ther was fifty of them Condemed, the rest was branded and keep for the use of the army. ther was three Companeyss Came in to Day, that went out ascouting Seven days ago. the[y] was about Sixty miles Down the river on this Side. the[y] burnt Several townes and a large quantity of Corn and Lift about five hundred bushales in one crib. they Saw verey Litele fresh Sine. they plundered a few horses and Some other articales and brought in. I have bin Caled to Set on Cort martial four Dayes hand runnin to try Delinquenerees. Last knight ther was one man Caut Steeling Shugar out of the hospitale Stores.

On Munday 3--My Lieutenant was aquited of his Charge, and ranked amongst the officers as ushal.

On tuesday 4--two Ridgements from East⁶⁹ tenessee, ther times was out, and they Did Command ther Discharge and the General Refused to give

⁶⁶Isaac Hartsell, brother of Jacob, was 1st lieutenant, and Samuel Bayless, 2nd lieutenant.

⁶⁷Maj. John Reid was aide at this time, the other aide, Maj. Robert Searcy, being away. Tenn. State Archives.

⁶⁸He belonged to a regiment which had left for home. Not on Tenn. State Rolls.

⁶⁹Hartsell means West (now Middle) Tennessee. Gen. Roberts' brigade was composed of two regiments led by Col. John K. Wynn and Col. Thos. McCrory, the latter being a native of Sullivan county, Tennessee.

them ther Discharge. the General Contended that they was Six monthes men. General Robertes, the Commander of the two ridgementes of men, he told the men that ther times was out and they shold bee Discharged. on this morning the Sentinals was ordered to bee Set out on ther postes. the Lieutenant⁷⁰ that was oficer of the gard for the present Day, when the old Sentinals was relieved he ordered all his men to returne to ther Campes. they was all marching after the Lieutenant to ther tentes when the General and his Life gard Come and ordered the Lieutenant to holt his men. the Lieutenant wold not Stop. he marched tell he met the Generals Life gard, the General Steped in and presented his pistele at the Lieutenants brest and Swore that he wold Shoot him If he wold Step one inch. the Lieutenant Drew his Sword, and all of his men Cocked ther gunes and Swore that the next Shootes wold be therne. the General Commanded the Lieutenant to give up his Sword, or he wold blow him throw. the Lieutenant wold not give up his sword. ther was a doctor⁷¹ that Steped fored and tooock the Sword out of his handes and give it to the General. the Generals Life gard⁷² twock the Lieutenant under gard, and twock him in to the Stockcading. ther wase a Cort Coled to try him Instantley. the Cort was Coled and jurned tell next Day. the next Day when the Cort met the Lieutenant was gonn.⁷³ the men all went on the Day the[y] was to Start. the General when he found he Cold not keep the men aney Longer, he head all of them Coled up and made them a purposhal. If they wold Stay aney Longer, that at the Expiring of Six weekes he wold give them a onerabele Discharge; but the men wold not Stay aney Longer on no turmes. about two oclock in the afternoon the[y] Started.

On Wensday 5 day Instant- ther Came a express from Colonal Williams⁷⁴ from Knoxville, that Colonal Williams head Started with Eight

⁷⁰William M. Kirby (Reid gives his name Kearley, but Bassett gives it Kirby). Bassett, *op. cit.*, I, 433.

⁷¹Doctor Taylor of Captain Gordon's company, Colonel McCrory's regiment. Tenn. State Archives.

⁷²Capt. John Gordon's company of spies. Tenn. State Archives.

⁷³When the officer of the day found the guard abandoned, Kirby was ordered to give up his sword. This he refused to do, saying it would protect him to the Tennessee River. When later arrested by Jackson's lifeguard, he still refused to halt, and General Jackson intervined, personally demanding his sword. Upon Kirby's refusal, the General leveled his pistol at Kirby, but Adjutant Gen. James W. Sitler stepped between the two. Dr. Taylor rushed up and drew Kirby's sword, handing it to Sitler, who demanded that Kirby himself tender it. This was done, and Kirby arrested. He later repented and was pardoned by Jackson, on account of his youth and the influence of others in the case. Next day all of Roberts' brigade were gone. Bassett, *op. cit.*, I, 433-34.

⁷⁴Col. John Williams (1778-1873), of Knoxville, commander of the 39th Regiment of the United States army, did not reach Ft. Strother until February 6, after Lillard's regiment had gone. Williams was a son-in-law of Gen. James White.

hundred troopes, and Expected to arive at this plase on the tenth of this Instant. Judge White⁷⁵ rote to Colonal Lillard that he hoped that he wold not think heard to Stay a few Days Longer if Colonal Williams Cold not reach this plase before the fourteenth of this Instant. on this Day the hole Ridgement was Coled in a hollow Square and the orders read to the hole of the men. General Jackson Stated that if the men Came on as he Expected he wold forme a loine of march on tuesday next, and the plase wold bee vacant without our asistance. he hoped that the men wold volenteer ther Servises twenty Dayes Longer⁷⁶ either to goo onn or to Stay heare to gard the plase. ther was not one Capt that ofered his Servise but Capt Hambelton and all of his men not one of them knew that he had Inroled them. they Swore the[y] wold not goo with him. ther wase a great meney yong men said that If they cold Inrole with me they wold goo with me If I wold. I told them under the present surcomstance I cold not goo on with them. I Stated to them that it was proper for them to goo that cold goo; I said purhaps ther was some Capt that head no fameley that might goo verey handey.

On 6 Day -- In the evening we Started from my tent to march round to Colonal Lillards tent and marched round the tent. I holted the men and ther was Several more oficers and privates joined our Serenade. we marched to Major Bradleys tent. I holted the men, Major Bradley⁷⁷ Come to all of us and thanked us for our visit and said he was sorow that he head nothing to treat us with. we thanked him and said we was as much obliged to him as if he head. we asked him if he wold march with us awhile, he said he wold with pleasure. we head three verey good fifers when we was formed. I ordered the hole forward march, we marched by Capt Hambletons Companey. I Stated we was Volenteeres to goo home on the fourteenth Day of this Instant, and all the men that was willing to goo home with me to Come and fall in and march round. they most all fell in and marched with us round. before we got round we head one third of the men. I marched them to my Incampment and holted them and the Loine was about one hundred yardes long, four men Deep. major bradley and the rest of the officers Concluded to forme them on the perade ground and State to them as we Entered the perade ground

⁷⁵Hugh Lawson White, son of Gen. James White, was a lawyer of Knoxville. Parton (*op. cit.*, 499) gives Hugh L. White the credit for sending Col. John Williams to Jackson's aid.

⁷⁶See Jackson to Blount, January 7, 1814: "Genl. Roberts Brige. abandoned me on the 4th. . . . Col Lillards Regt. will abandon me on the 14th. . . . I entreated, in the most pressing manner I knew how, the continuation of their services for only 20 days beyond the period of their engagement." Bassett, *op. cit.*, I, 437.

⁷⁷First major in Lillard's regiment.

⁷⁸William Rutledge, Sullivan county, quartermaster in Lillard's regiment. Tenn. State Archives.

that William rutlege⁷⁸ and Capt Dick wold Stand on the right, and all the men that was for the hickrey groundes wold fall in on the right. I marched the men by them and holted and then Counted the men that was willing to goo on. by this time ther was Some of the Generales Life gard Come to See what was the mater. William Rutledge Swore that he was on urantest [on your own test]. we formed and marched round the Loines tell we Came to the midele of the ridgement. by this time ther wase Capt gorden⁷⁹ and Capt rusele⁸⁰ and maney more of the Generales Life gard Came to whare we was. we Dismissed them tell next Day at ten oclock to meet at the Generals tent to inrole ther-selves for twenty Days longer, Either to go on to the hickrey groundes or to Stay heare. we all brock up and went to our tents. on the next morning about Sunrise the General give orders to Colonal Lillard to git all the Capt opinions and the opinions of ther men in righting by ten oclock; and all the Capt to meet at the Colonals tent with ther returnes. I made out my returne and Stated In it as folowes: the reason that my men wold not turn out I Stated, from the infermation we head of the General and from what acquaintince we head made with him the men was not willing to march one Step with him nor Stay heare to gard the plase; I further Stated that all the men was willing to march to ther Respectibile homes with me and the subolten [subaltern] officers, on the fourteenth of Instant or Swoner, If Convenant. when the Colonal read my returne, It made him laff verely hartey. he said that I twock no roundabout way to Excuse the mater, but was Short and Straight. I Stated that If we head not bin Decived by hour General Someney times that we wold bin willing to Stay and to Serve good officers. he Stated that I was verely right to bee Short and plaine about the mater. Some of the officers Stated to the Colonal that ther men head no shoos [shoes], Some one thing, Some another. the Colonal Stated from the Decite that the General head made with the men was anuff to make a man make a returne like mine, Short and Straight. on this Same day about ten oclock the re-

⁷⁹Capt. John Gordon (1763-1819), the first postmaster of Nashville, is best eulogized by the monument on the lawn of the post office and custom house in Nashville, Tennessee. He came to Nashville from Virginia in 1782, and became a noted defender of old Fort Nashboro and the frontier settlements from the Indians, and participated in the Nicajack expedition which ended Indian atrocities on the Cumberland. As captain of the spies in the Davidson county regiment, reporting only to Jackson, he distinguished himself in every battle of Jackson's Creek campaign. In 1814 he performed alone a mission of great danger, as Jackson's special envoy to the Spanish governor of Pensacola, resulting in the capture of Pensacola and the cession of Florida to the United States. He is buried at Columbia, Tennessee.

⁸⁰Captain William Russell led another company of mounted spies, who served as Jackson's lifeguard. Russell served as major of Vol. Mtd. Gunmen under Col. Robert Dyer in General Coffee's brigade in the New Orleans campaign, 1814-15. Tenn. State Archives.

turne of the hole ridgement was made to the General. on the fase of the returne, to his amaisement he found onley three men to inrole under him aney longer; the mesnames [men's names] was Capt Wm Hambilton and his father and his fathers grand son,⁸¹ which made the old Vilion Sware outrageous.⁸² he said we head acted with great imposition to make amock of him and the rest of the officers; he was greaved to the heart to think we thought nomore of him. he Said he never Commanded Such asmart healthey Set of men in his Life before, and he was sorow that he cold not purvale with them aney Longer.

On Saturday 8th it was verely drisley morning. all of the boyes Seemes to bee verely Smart and abele for ther allowance. the ridgement gites Smaller Every Day. about twentyfive yardes above the Stockading ther Standes the Largest pine tree that I ever Saw in my Life. it is about five feet throw and Sixty feet before ther is one lime [limb]; it is up the river from the Stockading. on the Same Day about three oclock In the afternoon the hole ridgement was Coled together to heare General orders read. when peraded, Major nolen read the orders. In the first inStant read, Sow the General Said that from the answer he Recived from Colonal Lillard⁸³ it Stated that none of the Cpts wold offer ther Servises, onley brave Capt Hambelton and two privates in his Company; he Stated further that none wold volenteere ther Servises to Stay heare to keep the plase; he Stated that our time was out on the fourteenth Day of this instant, and as Long as we wold not Stay nor goy[go], he wold give us the balance of our time. he Said we on the ninth of Instant Shold Stay and Draw five Days rations to take us to armstrong, then to march to Knoxville and to be Discharged by General Cock at his Desgnation. he

⁸¹Captain Hamilton was later killed in the Battle of Ephotochopco, January 24, 1814. Jackson then wrote concerning him: "... among the former [those killed] was the brave Capt. Wm. Hamilton from E. Tennessee who with his aged father and two others of his company, after the period of his engagement had expired, volunteered his services for this excursion . . . No man ever fought more bravely, or fell more gloriously . . ." Jackson to Pinckney, January 29, 1814, Bassett, *op. cit.*, I, 452.

⁸²Jackson wrote to Coffee, December 31, 1813: "They militia I think will go and I wish they and they volunteers had a smoke tail in their teeth, with a Peticoat [the symbol of cowardice] as a coat of mail to hand down to their offspring . . . I think of all damned Rascals I ever saw, is some of the Holston [Jackson always refers to the eastern region as Holston] soldiers, nothing can excape them." *Ibid.*, I, 431. Jackson's patience did give out.

⁸³Lillard wrote Jackson on December 26, 1813, and January 7, 1814, that his men just refused to go on, except Capt. Hamilton and two of his men. *Ibid.*, I, 411, 437,n. Lillard was severely criticized by Col. John Williams: "I am mortified to hear of Col. Lillard's conduct. It is disgraceful in the extreme. A petty coat ought to be presented to him." *Ibid.*, I, 431,n. Jackson also criticized Lillard in a letter to Blount, December 26, 1813: "I could not believe the general would have made such a promise to men whose service was so much needed . . . without notifying me thereof." *Ibid.*, I, 409.

Stated that on munday the tenth we wold forme the loine of march, In order agreeabele to the rules and articales of ware, with a advance gard and a reare gard and to keep Sentinales Set out regular tell he Dismissed the troopes. he further Stated that if he Did not march his men in order he wold be Sponsebele for aney Dammage that might be Don on the way home Either by or in the Indian Inhabitence; the[y] air not to Do aney of them or aney of ther property, nor to injure the white men nor ther property; he Stated ther shold bee flankers out everey Day on the march, and after the Sentinals was plased out ther shold not Suffer aney officer or Soldier to lay out of his Camp in gard; If aney was found he shold punish them agreeabele to the rules and articales of ware. he Stated that Colonals Browns and Colonals Waires ridgements head injured the indian property much from a statement he head recived from the Crawler Indian.⁸⁴ the manes [names] of the Capts that is on this ground Com-manded by Colonel Lillard Is as folows: ther Names Capt Sharp, Capt Gilenwaters, Capt Hambelton, Capt Copolen [Copeland], Capt McCriston [McCuistion], Capt Roper, Capt King, Capt Marton [Martin], Capt Lillard, Capt Etherton [Neatherton], Capt McLoney [Maloney], Capt Jacob Dyck [Dyke], Capt McCopen [McCalpin], Capt McLing [McLin].⁸⁵ the General Said this was the best loocking men he head the Command of and he thought the[y] wold fight. he wished us all Safe home and grate Luck on the way. this was all in his Leater, and four times as much.

Fort Strother January 5th 1814--Countersign, Jackson --By Order A Thomas Noland Adjudent - Capt Jacob Hartsell, officer of the Day I was the first Capt that ever acted in Sted of a fild officer in Colonel Lillards ridgement. In Jacksons army, on Coocey, at the ten IsLandes. I pur-formed with honour, as It Hapened. . . .

This is my hand riting on Coocey. In the yeare of our Lord, Januarey 9th day 1814, those few Loines I rought about twelve oclock with my

⁸⁴The poor Indians were pillaged and their property ravaged by the army, which was always short of supplies. Many complaints were sent to Colonel Meigs about the conduct of the East Tennesseans, but very little relief was felt while the war lasted. The Indian warriors were at the front, fighting for the Americans, while the women and children were made to starve by their allies. Along the Ross road from Ross' Landing to Turkeytown, near Ft. Armstrong, hardly a cow or hog, or an ear of corn was left. Daniel Ross wrote to Colonel Meigs at Hiwassee asking help for them. In 1816 Colonel Meigs submitted to Secretary of War John Armstrong claims for the Cherokees amounting to \$25,498.42½ for property damages inflicted by the march of the white troops through their lands. Meigs MSS. (in possession of Mrs. P. J. Allen, Chattanooga, Tennessee). Jackson informed Cocke, December 28, 1813, that certain felonies were traced to Colonel Wear's regiment, and denounced the actions of the troops. Bassett, *op. cit.*, I, 415.

⁸⁵See note 56, in *Publications* No. 11, p. 105.

Boock In my hand Laying on My knees Siting In my tent with. This is my wish, that God wold inabele me and all of my Company to returne to ther respectebele famileys or homes, and all of the other troopes in our Ridgement. So Ends my Speech~

On last knight a privat out of Capt Jacob Dyckes Company Dyed about midnight, the name of Moses freeman.⁸⁶ he was twock with a vilent pain in his head the Day before he Dyed. he was all the purson that Dyed out of our ridgement yet.

Monday 10~he was beried about nine oclock in the morning. he was beried with the honors of ware. ther was twelve men marched to thhe Corpes with ther armes Caried at areverse, and then to the grave; then the[y] Stood arest on armes reversed tell the Corpes was laid in the ground, and Covered over the bordes [boards]; then the[y] Came to asholder, make redey, fier; Charge, make redey, fier; make redey, fier. the thurd fier was in the grave; then the quick Step was beet and all the men tho [to] ther tents to make redey to march. about half after Leven we formed a Loine of march, and Come about twelve miles and Lay on the north Side of Cuneow [Canoe] Creek.

the next Tusday 11~ in the morning the Colonal ordered Every Capt to make out his morning report to See how meaney men was absent with out leave. all of my men was present to answer to ther names but two, Moses Conk and James Vest, hoo [who] head went own further than we got this nite. this morning we Started about the brack of Day and Struck a verey liveley march, and we marched tell the Sun was about one hower high, and we Suposed we marched nare thirty miles and Camped on a large Creeck,⁸⁷ on the South Side of the Creeck whare ther was good Land and good timber. all of the men was verey much furtuged and willing to Camp.

12~about Darck ajedent Thomas Noland apointed me Capt of the gard. the County Sign was Shelvey. in the morning he pointed me officer of the rare gard. imarched behind tell about nine oclock and pased Several men unwell. before knight we pased a number of men that was verey unwell, Some from everey Company nairley. all of my men is tolerabele well; we air the helthest [healthiest] Company in the hole ridgement as yet, thank God for his merses [mercies].

this morning we marched throw Some verey good ground for about Seven miles, then Struck the Loockout Mountain⁸⁸ and marched on the moun-

⁸⁶Moses Freeman enlisted as a private in Capt. Jacob Dyke's company on October 14, 1813, and died January 10, 1814. Tenn. State Archives.

⁸⁷Will's Creek.

⁸⁸The lower end.

tain about leven miles and Camped on a ridge whare the timber and water was verey handy. It is verey Cold and windet this evening. the men Is Scatered verey much along the road four miles or more.

On 13--I was apointed advance gard. I peraded about Sunrise at the Colonals tent and twentyfore privats, and it was verey Cold. I Started and marched to the river,⁸⁹ whare Some was Cuting trees en rows and Some awading. iwent Down to whare the boat was to bee. when we Came in about amile of whare the boat was to bee, we heard that the boat was not Come Down. we met a cuniow [canoe] and i and the advance gard Crosed. Some waded, and Some made raftes and Crosed. when we was over the boat Came. I Started throw the Cain brack tordes the fort,⁹⁰ and Struck the road about two miles below the fort on the river, and marched on to the foart whare I met with all the boyes that I head left behind.⁹¹ the[y] Seemed verey glad. In about one hower the most of the ridgement Came and the men Seemed much rejoised. I peraded my men and marched them up the river and Camped on asmall branch. I was the first Captain that head marched his men to the Camping ground. we was handey to wood and water. I went and Drew ovenes for my Companey to Cooch in. we Drew whiskey for all the ridgement. ther was more fiting then ever waws in the Campes from the time we marched; ther was more Desputing about marching then iever Saw in my life. all the men that was abel to march Swore the[y] wold march wheather the[y] got Leave or not. Some of the Cpts Swore the[y] wold march Earley in the morning, orders or no orders. we Drew four rations of meet and one of flower.

On friday 14-- We Drew foore rations of meele and one of flower, and we Drew four days rations of whiskey. on friday night ther was all kind of Swaring and all kind of fiting.

Saturday 15 Day 1814-- We Started from fort armstrong, about ten oclock in the morning, which was a verey raney morning and we march- ed throw the gap of the mountain, and Camped on averey pretey ridge which was about ten miles from the fort. Crosed little Chatuga river. all of the men in my Companey is abele to march but Thomas Carley,⁹² he was Caried in the bagage wagon. my Companey and Capt McLings goines [joins] together and has a wagon to the two Companey. ther

⁸⁹The mouth of Chatuga River where it joins the Coosa.

⁹⁰Fort Armstrong.

⁹¹Those left by General Cocke to guard the garrison when he advanced to Ft. Strother. Lieut. Col. William Snodgrass was in command of the Cherokees left there. Tenn. State Archives.

⁹²A corporal in Hartsell's company.

was two of Macklings men that head to ride in the bagage wagon, William Brown and thomas Messer.

Sunday 16teenth day--we marched about Sixteen miles, and Camped on the South Side of a large Creeck whare the timber was verey good, and the Land was good allso. the ridgement is much Scatered along the road.

On munday 17--we marched about twenty five miles, and Camped on the north Side of a small Creeck, whare ther was good timber and mideling good Land. the ridgement was much Scatered along the road.

On tusday 18--we marched to Camp Ross.⁹³ Some Companey's Did not Come in. the weather is verey Cold and Clowdey; the river is verey high and will be verey hard to Cross. on today we Came about twenty five miles.

On Wensday 19--We Drew four Days rations and prepared to march.

On thursday-- we Crossed the tennessee river.⁹⁴ of all kind of poosh-ing and Swaring that I ever heared, ther was there; Every man for himSelfe; you Cold not heare your own yeares. the river is about Eight feet higher then it was when we Crossed when we went on, and Still rising; we have fore boates goeing Steedey all Day. on thursday 20 all the troopes Crossed.

On friday 21--we marched to John browns, ⁹⁵ on this Side of the river and Drew meet for two Days and marched about one mile and Crossed a verey large Creeck, and Camped on the North Side of the Creeck. the weather is verey Cold and windey. we met two Companey's of foot men from Anderson county,⁹⁶ goeing on in midelen good heart. ther was two Companey's of troopes Came Down in boates on thursday the Day we Crossed Tennessee river, from somers [somewheres] about kingston.⁹⁷

On 22 Day-- we marched about twenty miles and Camped nare the loine [line] on a small Creeck. the wagons Did not Come up and Some of the men Stayed back with the wagons. the knight is verey Cold.

⁹³See note 33, in *Publications* No. 11, p. 100.

⁹⁴At John Brown's ferry. See note 32, *ibid.*

⁹⁵John Brown's ferry is an old Cherokee landmark. In 1842 his heirs filed a claim with the United States government for the spoliation of these two ferries on the Tennessee River. Meigs MSS.

⁹⁶Some of the new recruits, likely some of Colonel Williams' regiment.

⁹⁷Likely Col. John Brown's regiment on its second tour. Roane county had troops at different times on the Creek campaign.

Sunday 23--we marched to Camp brown.⁹⁸ I and Several of my boyes Struck throw the woodes to the highwasey [Hiwassee] garison,⁹⁹ and went about two miles twolow whare we Struck a large Cain brack. we went up the river to the garison, and there was a grate meaney of my old acquaintences there. I drew Rations for three Days for my Company, and then I went to Camp brown, whare I met with all the Washington [county] troopes whare I was much revived to heare from all of my kindfolks and old acquaintences. this night ther was more Snow fell then I have Saw this winter.

Monday 24 Day 1814--We left Camp brown about ten oclock, and marched about twelve miles and Camped on the north Side of a hill on a verey prity Creeck; the Land and timber was good all this days march, ther was Some verey good farmes.

Tusday 25 Day--we marched about twenty Miles throw verey good Land and timber, Some verey good farmes. we Camped on the North Side of asmall branch.

Wensday 26 Day--we marched to kingston, whare we met with a boat of apeles and Sider. we all Spent our money verey freeley. I Spent narley three Dollars in money for brandy, and Sider, and appeles, and pyes [pies] and buter. we marched about two miles out of the town and Camped on the Side of a small ridge, whare the water was verey bad. the ridgement is much Scatered along the roades.

On thursday 27--we marched about twelve miles and Camped on the South Side of a verey prity ridge; the wood and water was verey Scarce. the ridgement is much Scatered along the road; my Company Is much Scatered at this time.

On the 28 day-- we marched about twenty miles and lay at Major benets [Bennett's],¹⁰⁰ whare the harican head bin about four yeares agoo; the timber was all Ded and blowed Down. ther was no water but well water for all the troopes.

[This concludes the "Journal" as kept by Capt. Jacob Hartsell, but his company was mustered out on February 4, 1814 at Jonesboro, Tennessee.]

⁹⁸See note 28, in *Publications* No. 11, p. 100.

⁹⁹See note 29, *ibid.*

¹⁰⁰Likely Major Peter Bennett, a Revolutionary soldier from North Carolina who lived in the lower end of Knox county on the Kingston Pike. A daughter married Richard Bearden. A Bennett descendant was the late Judge John Dewitt of Nashville, Tennessee.

WRITINGS ON TENNESSEE HISTORY, 1939*

Compiled by LAURA E. LUTTRELL

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- Jamison, Lena Mitchell. The Natchez trace: a federal highway to the Old Southwest. (J. of Miss. hist. Ap'39. v. 1)
- Johnson, Anna French. The making of a minister's wife. N. Y., Appleton-century co., 1939. 268 p. pl. [Her life in Tennessee, p. 13-33]
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- KELLEY. Street, James. Dixie's mother confessor: Judge Camille Kelley of the juvenile court. (Am. mag. J1'38. v. 126:51-52, 126-129. port.)

- KINGSPORT. Whitman, Willson. Three southern towns: Kingsport; they planned it. (*Nation*. Ja 21'39 v. 148: 88-90)
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- Pace, Stephen. General Edmund Pendleton Gaines—a great American for whom was named the city of Fort Gaines, Ga. (*Cong. rec.* Mr 6 '39. v. 84: 3298-3299)
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- Stott, Kathleen Brock. *Rugby, Tennessee: an attempted Utopia.* Typewritten, 1938. 136 p.
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- TENNESSEE VALLEY. Whitman, Willson. *God's valley. People and power along the Tennessee river.* N. Y., Viking press, 1939. 320 p. plates, map on front end paper.
- TENNESSEE VALLEY AUTHORITY. Carter, J. F. *Future is ours, by Jay Franklin.* N. Y., Modern age books, 1939. 208 p. [A study of the possibilities offered by TVA]
- TVA BIBLIOGRAPHY. Bauer, H. C., comp. *Indexed bibliography of the Tennessee valley authority, cumulative supplement July, 1936-December, 1938.* Knoxville [mimeographed] 1939. 53 p. [Also a Supplement, January-July 1939. 16 p.]
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- Tousey, Sanford. *Daniel Boone.* [Illustrated by the author] N. Y.; Chicago, etc., Rand McNally, c1939. 34 unnum. p. illus., map. [juvenile]
- Travelers trails. See *Norris Dam and the Great Smoky Mountains national park.* Knoxville, Travelers trails, c1939. 24 p. ("The advertisers made Travelers trails possible")
- TURNER. Williams, R. L. *John Bull Turner, 1860-1936.* (Chron. Okla. Je'39. v. 17: 253-254. port.)
- United States. De Soto expedition commission. *Final report of the United States De Soto expedition commission. . . .* Washington, Govt. print. off., 1939. XVI, 400 p. 11 maps (5 fold.) (76th Cong., 1st sess. House doc. no. 71) (John R. Swanton, chairman.) [Biblio., p. 337-343]
- Vail, R. W. G. *The American sketchbook of Charles Alexander Lesueur, 1816-1837.* Worcester, Mass., 1938. 109 p. port., plates. ["Journeys up the Cumberland to Tennessee, 1831-1832," p. 80-85]
- Whitman, Willson. *God's valley. People and power along the Tennessee river.* N. Y., Viking press, 1939. 320 p. plates, map on front end paper.
- . *Three southern towns: Kingsport; they planned it.* (Nation. Ja 21'39. v. 148: 88-90)
- Zuber, Leo J. *Federal aid in Tennessee.* (Tenn. State planning com'n, mimeographed, 1939. Bul. 16)

MAPS

American automobile association, pub. Great Smoky Mountains national park area. Colored map of the Great Smoky Mountains park. Washington, 1939. 18 x 24 in.

Tennessee. State planning commission. Pictorial map of the state of Tennessee. Data compiled by Mrs. John Trotwood Moore, Mrs. W. H. Hollinshead, Grace Langdon and Mrs. Penelope J. Allen. . . . Adapted from TVA map of Sept. 1934. 42 x 16 in.

United States. Department of the interior. National park service. Guide map of The Great Smoky Mountains national park, Tennessee-North Carolina, 1939. Comp. and drawn by A. J. Reixach. 10½ x 16 in.

UNPUBLISHED MASTER'S THESES, 1939

University of Tennessee

Alexander, Theron, Jr. The Covenanters come to Tennessee.

Cantrell, James Benton. Educational survey of Alpine institute and community.

Counce, Paul Atkins. Social and economic history of Kingsport before 1908.

Finney, Raymond Alfred. History of private educational institutions of Franklin county, Tennessee.

Gentry, Amos Leo. Public career of Leonidas Campbell Houk.

Hyde, Victor Albert. Geographical survey of Knoxville, Tennessee.

Vanderbilt University

Mahoney, Nell S. The building of the Tennessee state house, 1845-1854.

Smith, Will D. The Carmack-Patterson campaign and its aftermath in Tennessee politics.

Wiley, Evelyn V. Sam Houston's career in Tennessee.

Williams, Charlotte. The legislative history of the admission of Tennessee into the federal union.

UNPUBLISHED DOCTORAL DISSERTATIONS, 1939

Mooney, Chase C. Slavery in Tennessee. (Vanderbilt university)

IN PREPARATION

Armstrong, Zella. History of Hamilton county and Chattanooga. v. 2

Campbell, C. A. Economic history of Tennessee

Folmsbee, S. J. A history of Tennessee

Foster, Austin P. A history of Tennessee democracy

Matteson, David M., comp. A cumulative index, 1906-1930, to Writings on American history, by Grace Gardner Griffin. To be published under auspices of the American historical association

Scism, Delos M. History of the Scism and allied families

Smith, Dorothy Ware. Church in the valley. [New Providence church in Virginia from which some members came to Tennessee]

Williams, Samuel Cole. Colonel Patrick Ferguson

BOOK NOTICES

Books to be noticed will be those bearing directly or indirectly upon some phases of the history of Tennessee. There is no intention of reviewing books critically; the purpose of the *Publications* will be served in supplying bibliographical data and in indicating something of the nature of the subject matter.

Federal Writers' Project, *Tennessee: A Guide to the State*. Compiled and written by the Federal Writers' Project of the Works Projects Administration for the State of Tennessee; sponsored by the Department of Conservation, Division of Information. (New York: Viking Press, 1939, xxiv + 558 pp., \$2.50.)

"Nearly four centuries ago, in 1541, the area now known as Tennessee was described by the Gentleman of Elvas, chronicler of De Soto's expedition. Vastly more complex and comprehensive than this early narrative is the present account, compiled by the Federal Writers' Project of the Work Projects Administration. **Tennessee: A Guide to the State** attempts to define the State in its important aspects—social, economic, historical, cultural—and to picture the life of its people against their natural background. The writers have aimed not only to supply visitors from outside the State with information that may increase their interest, but also to give Tennesseans a ready source through which their understandings of their native territory may be deepened and enriched." (Preface.)

This work is one of the **American Guide Series** being prepared by the Writers' Project in the several states, and like the other state guides which have been produced, it constitutes one of the most worthwhile accomplishments of the project. It is amply illustrated and contains a number of valuable maps. Following a short section entitled "General Information," Part I is devoted to an historical survey, "Tennessee: The Background," organized around the following topics: Cross Section of a Threefold State, Natural Setting and Conservation, The First Americans, History and Government, Industry and Commerce, Agriculture, The Working Man, Transportation, Tennessee Valley Authority, Negroes in Tennessee, Religion, Education, Sports and Recreation, Folklore, The Living Past, Writers of Tennessee, Architecture, The Arts. Part II deals with the cities of Nashville, Memphis, Knoxville, Chattanooga, Jackson, Columbia, and Kingsport; and Part III describes sixteen separate tours and the Great Smoky Mountains National Park. Included as appendices are "Chronology," a selected bibliography, and an index.

Tennessee Citizenship. By Stanley Johnson. (Richmond: Johnson Publishing Company, 1939. ix + 371 pp., \$1.85.)

"**Tennessee Citizenship** is offered as a kit of tools for effective thinking in Tennessee public affairs. It is a beginner's kit designed for the laying

of foundations and cornerstones. It is offered to youths who need to exercise themselves as skilled artisans in constructive citizenship while they prepare to become the engineers and architects of a greater Tennessee. Another view might be that it is a set of keys to unlock certain problems, to open various discussions. It is a survey and an approach rather than a conclusive analysis.

"We propose to familiarize ourselves with conditions which we encounter as citizens in Tennessee, for we can be good citizens only if we have knowledge and understanding of the conditions of life about us. Our discussions will center about certain specific areas of thought, "Our Land and Our People," "Our Forms of Government," "The Common Good," and "Private Enterprise." In the chapters of these main divisions we shall develop certain factors of citizenship. We shall see that one factor is often dependent upon another, that each factor is but a logical step in reasoning toward an organized whole. The physical environment of Tennessee, the people themselves, the state Constitution, our state, municipal, and county governments—all of these are intimately fused into our problems of health, education, public welfare, conservation, and with the various public affairs connected with private enterprise.

"These subjects we shall separate into simple and isolated problems for the convenience of study. In reality they exist together, education, for example, being a part of finance; public welfare related to problems of health; agriculture being integrated with industry; transportation and communication a part of all; and all dependent upon the successful operation of our government and upon their own relations each to each. . . .

"**Tennessee Citizenship**, then, should be a part of our thinking and acting outside, as well as inside, the classroom. Its study should supplement, not take the place of, observation, reading, and participation in life around us." (Materials and Design.)

This work is designed as a text for college and secondary school use, but should also serve as a valuable handbook for administrative officials and citizens of the state in general. The chapters are entitled: 1. The Lay of the Land; 2. The People; 3. The Constitution; 4. State and Local Government; 5. Cost of Government; 6. Educational; 7. Health; 8. Public Welfare; 9. Conservation; 10. Agriculture; 11. Commerce and Industry; 12. Transportation and Communication. Included as appendices are a brief bibliography, the Tennessee Constitution, and county statistical tables. The work is also supplied with several valuable charts and tables and a usable index.

Final Report of the United States De Soto Expedition Commission. House Document No. 71, 76 Cong., 1 Sess. (Washington, D. C.: Government Printing Office, 1939.)

The De Soto Expedition Commission was created under the authority of a resolution of Congress approved August 26, 1935, and was organized under the chairmanship of John R. Swanton in 1936. The commission

was instructed to "make a thorough study of the subject of De Soto's expedition and to report back to the next session of Congress its recommendations for a suitable and appropriate celebration of the four hundredth anniversary of said expedition." A number of celebrations have already been held, and another is scheduled for 1941 in Memphis, Tennessee.

The commission not only made a complete historical investigation of the expedition, but also attempted to determine as definitely as possible the route followed. It came to the conclusion that De Soto passed through southeastern Tennessee, but probably reached the Mississippi River south of the Tennessee line in northern Mississippi.

Included are a number of valuable maps, a critical discussion of authorities, and several appendices.

Master of the Wilderness: Daniel Boone. By John Edwin Bakeless. (New York: William Morrow and Company, 1939. 480 pp., \$3.50.)

"Although Daniel Boone early became an American hero and the subject of innumerable popular sketches of varying merit, he has not hitherto been made the subject of a documented biography based on original sources.

"The present study is the result of personal examination of all known original Boone manuscripts, except a few in distant county courthouses or private collections, which have been examined for me and sometimes copied by local investigators. It endeavors to bring together the entire story of Daniel Boone's life without entering into details of merely local interest, such as the exact routes he followed or the exact sites of his camps. Matters of this sort, though of great interest to local historians, who debate them vigorously, are of no special significance to anyone else." (Introduction.)

The chapters are entitled: 1. The Boones of Pennsylvania; 2. To the Yadkin Valley; 3. Goodbye to the World; 4. First Attempt at Settlement; 5. Public War, Private Treaty; 6. The Wilderness Road; 7. Life at Boonesborough; 8. Three Kidnapped Daughters; 9. "Year of the Three Sevens"; 10. Prisoner of the Shawnee King; 11. Sheltowee, The Ingrate; 12. Blackfish Lays Siege; 13. Treasons or Stratagems?; 14. Red-Skinned Raiders; 15. The Year of Blood, Siege of Bryan's Station; 16. The Year of Blood, Death at the Blue Licks; 17. The Thirteen Fires; 18. Land Trouble; 19. "Elbow-Room"; and 20. Last Frontier.

This is a long, documented biography of the most famous American frontiersman, written in an entertaining manner and replete with stories, many of them frankly admitted to be legendary. The work contains a bibliography and several illustrations and maps.

The Rampaging Frontier: Manners and Humors of Pioneer Days in the South and the Middle West. By Thomas D. Clark. Indianapolis and New York: The Bobbs-Merrill Company, 1939. xiv + 350 pp., \$3.00.)

"Too long the historian has neglected the earthy elements of humanity which went into the making of the West. He has written hundreds of learned essays and pamphlets about them, but seldom has he danced with their gals, or rolled on their camp-meeting floors. He has never drunk with the colonels, drilled with the privates, nor dodged their horses in main street and highway races. All of this to the learned fraternity of historians is frivolous, and above all historians must never be frivolous. Of recent years a few bold ones have dared break away from traditional formality to tell some of the rich yarns which amused another generation. This departure has broken the ice, and the dignified brethren have listened with increasing interest to what apologetic chairmen of program committees have labeled 'light stuff.'

"My story is human, and it is buckskin, but if there was ever anything in America that was more buckskin than the frontier and its society it has not yet shown its head. . . .

"Generally I have kept my story west of the Allegheny Mountains, and within the boundaries of Tennessee and south of the Yankee line in Ohio, Indiana and Illinois. I have gone as far west as the ends of Missouri and Arkansas. On two or three occasions I have gone kidnaping beyond my boundaries and fetched home such choice morsels as 'A Wisconsin Debating Society,' and the 'Iowa Brides.' Of course no story of the frontier would be complete without frequent forays into Natchez and New Orleans. This account of the frontier is highly flavored by the Kentucky influence, but so was frontier society. My period covers generally from 1775-1850. There might be an argument that frontier conditions did not exist in some of this region during the latter decades, but after all, the terms frontier and pioneer are relative ones.

"The predominant features of social development in the old West have governed the organization of my study. I have fitted my parts into a whole, presenting what I hope is a well-rounded picture of the life of the common man. The frontier is the central theme, and hence the thread which holds it together. I have selected my stories, first because they are good stories; second, because they amplify the body of my narrative. These stories are the literary beginnings of the Mississippi and Ohio Valleys." (Preface.)

The chapters are entitled: I. The Backwoods; II. Varmints; III. Green Un's; IV. Boom Poles and Paddle Wheels; V. Somebody in My Bed; VI. Servants of the People; VII. Where the Lion Roareth and the Wang Doodle Mourneth for His First-Born; VIII. Bench, Bar and Jury; IX. Gentleman of Rank; X. Liars; XI. Quarter Hosses; XII. Keads; XIII. Fiddlin'; XIV. Foolin' with the Gals; XV. Yankees B'Gad. The volume is not indexed, but contains footnote references and a bibliography.

Sectionalism and Internal Improvements in Tennessee, 1796-1845. By Stanley John Folmsbee. *Special Studies in Tennessee History*, No. 1. (Knoxville: East Tennessee Historical Society, 1939. vi + 293 pp., \$3.75.)

"It is well known that one of the causes of the panic of 1837 was the wave of interest in the improvement of transportation facilities which swept over the country during the years immediately preceding, and which led many of the states of the Union, particularly those of the West, to subsidize internal improvements in a reckless and extravagant manner. Believing that a complete understanding of this aspect of American history is dependent upon a careful investigation of the experiences of the several states involved, the writer was led to undertake a study of this internal improvement mania as it developed in Tennessee, the home state of the president whose strict interpretation of the constitution was responsible for the placing of the burden of financing the improvements attempted upon the resources of the states rather than of the federal government. Since the study naturally involved a review of the previous efforts of Tennessee to surmount her own peculiar transportation difficulties, and of the reaction of her people to the federal aid controversy, an effort has been made to show to what extent Jackson's policy as president may have been influenced by the situation within his own state.

"Although the policy of every state in regard to internal improvements was influenced in some degree by the diversity of sectional interests, the sectional influence was particularly noticeable in Tennessee, a state in which the evil of sectionalism became so pronounced that the existence of the three "grand divisions" of East, Middle, and West Tennessee is still recognized in the state constitution. Not only were the adoption and consummation of any logical system of internal improvement rendered difficult by the differences in sectional interests, but the jealousies and antagonisms which resulted from the unequal distribution of the benefits derived from the efforts which were made in that direction prior to 1840 materially accentuated the evil of sectionalism, itself." (Preface.)

The chapters are entitled: I. Tennessee's Transportation Problem; II. State Aid Versus Federal Aid; III. The Movement for State Aid; IV. The State Aid Plan of 1835-1836; V. The Bank and Internal Improvement Act of 1838; VI. The Collapse and Repeal of the State Aid System; VII. The Aftermath. The work is amply documented and indexed and contains a map of Tennessee, 1840, and an extensive bibliography.

The Biography of a River Town, Memphis: Its Heroic Age. By Gerald M. Capers, Jr. (Chapel Hill: University of North Carolina Press, 1939. vii + 292 pp. \$3.50.)

"The history of cities has been largely ignored as an approach to the study of sections; yet cities, because of their frequently interstate character, are often more representative of fundamental economic interests than arti-

ficial political divisions like the state. No metropolis, not even New Orleans, typifies more clearly the character of the lower West than does Memphis. Bound to the upper valley by the Mississippi and by trade, and allied with the lower seaboard because of cotton and the Negro, this city on the middle Mississippi has always been both South and West. Born in 1819 of the westward movement and of cotton, it displays traits of both its progenitors; and when it ultimately favored secession in 1861, its decision was dictated more by emotion than by reason. Socially and economically it has resembled Chicago far more closely than it has resembled any southern town. Figuratively and literally, the South met the West in Memphis. . . .

"This book pretends to be no more than a comprehensive outline of the history of Memphis before 1900, and I shall cooperate to the fullest with anyone who seeks to give more intensive treatment to a certain period or a certain phase of the subject. Memphis possesses a colorful past; many times I was tempted to tarry and expand on points of human interest, but usually I turned my back upon Satan and kept to the more essential economic story. One axiom I have placed uppermost: local history, without perspective and without some correlation between the local and the national scene, may be good antiquarianism—but historically it is almost worthless." (Foreword.)

The work is well documented and contains a number of illustrations, tables, maps, and charts, and a critical bibliography. The chapters are entitled: I. Chickasaw Bluffs; II. The Woes of a Proprietor; III. Flatboat Town; IV. Boom Decades; V. Memphis Comes of Age; VI. Mars and the Market Place; VII. Return to Normality; VIII. The Sting of the Yellow-jack; IX. The New City.

Andrew Jackson and the Constitution. By Frances Norene Ahl. (Boston: Christopher Publishing House, 1939. 168 pp., \$2.00.)

The author discusses Jackson's military career and his attitudes toward such political issues as the spoils system, nullification, the national bank, and Indian removal. The conclusion is reached that Jackson's "dominant personality" and "iron will" determined how and when these issues arose and were settled, and the author intimates that Jackson had a "wholesale contempt for law." The work is illustrated and contains a bibliography and an appendix.

Cherokee Cavaliers: Forty Years of Cherokee History as Told in the Correspondence of the Ridge-Watie-Boudinot Family. By Edward Everett Dale and Gaston Litton. (Norman: University of Oklahoma Press, 1939. xxiii + 319 pp., \$3.00.)

Although most of the letters in this volume deal with the life of the Cherokees after their removal to the West, the first part of the "Introduction" and the first section of letters, "Removal and the Ross-Ridge Feud," relate to their life in the East or to problems connected with their removal

The Writings of Sam Houston. Edited by Amelia W. Williams and Eugene C. Barker. Vol. II. July, 1814 to March, 1842. (Austin, Texas: The University of Texas Press, 1939. xxxi + 539 pp., \$3.25.)

This second volume of the exceedingly valuable edition of Sam Houston's writings includes a number of items belonging to the period of the first volume (1813-1836), which were brought to light by the publication of Volume I. A number of errors in that volume are also noted in the second. Some of the material in Volume II therefore deals with Houston's career in Tennessee, although the major part of the work relates to his career in Texas.

Invisible Empire: The Story of the Ku Klux Klan, 1866-1871. By Stanley F. Horn. (Boston: Houghton Mifflin Company, 1939. xi + 434 pp., \$3.50.)

"This is just what its sub-title represents it to be—a **story** of the Ku Klux Klan. It is historically accurate (at least every precaution has been taken to make it so), but it is told in narrative form because that seems to be the clearest and most vivid way of presenting this incredible chapter in American history.

"An organization such as the Ku Klux Klan could have been organized and sustained only in such circumstances as prevailed in the South following the War Between the States. Its birth, its life, and its death were shrouded in mystery; no complete story of its existence has ever before been told. It is the purpose of this book to tell that story, to clear away some of the mystery which hangs about the Ku Klux Klan name.

"To avoid interruption to the flow of the narrative, there are no distracting footnotes. Every statement, however, is fully substantiated. In the Appendix is a bibliography of basic works of reference, the reading of which has been supplemented by intensive personal research throughout the South over a period of several years, including the painstaking scanning of old newspaper files and numerous interviews with surviving members of the Klan." (Author's Note.)

The work is divided into three parts: I. The Growth of the Empire; II. The Realms of the Empire; III. The Decline of the Empire. Included in the appendix are the two prescripts of the Klan, an interview with General N. B. Forrest, and the personnel of the Congressional investigating committee.

The Tobacco Night Riders of Kentucky and Tennessee, 1905-1909. By James O. Nall. (Louisville: The Standard Press, 1939. 221 pp., map, \$2.00.)

"The Night Riders enacted the most dramatic episode that has occurred in the history of tobacco. Evading the laws that covered their activities

but offered the organized tobacco growers little or no relief from overproduction and the monopoly of the Tobacco Trust, they sought adjustment through the mask, match, gun, lash, and hoe. The hoofbeats of their horses first rang out in 1905, to be followed by three years of warfare against the trust companies, their agents, and the non-organized growers and other persons who opposed the efforts of the tobacco associations to marshal the production of tobacco and to improve prices. They rose but to fall, but not until they had activated the forces that dissolved the trust and brought brighter days to the tobacco fields of Kentucky and Tennessee. This narrative is offered as the only complete historical record of the Night Riders that is available at this date." (Foreword.)

The work is divided into seven parts, as follows: I. The Factors That Led to the Organization of the Dark Tobacco Growers of Kentucky and Tennessee; II. The Dark Tobacco District Planters' Protective Association of Kentucky and Tennessee; III. The Origin and Development of the Tobacco Night Riders; IV. The Chief Events of the Tobacco War in the Planters' Protective Association Area; V. Night Rider and Allied Activities in Other Areas of Kentucky and Tennessee and in Adjoining States; VI. Breaking-Up the Night Riders; VII. The End of the Trust, the Six Cents Tax, and the Planters' Protective Association.

Caldwell and Company, A Southern Financial Empire. By John Berry McFerrin. (Chapel Hill: University of North Carolina Press, 1939. xi + 284 pp., \$3.50.)

"The purpose of this book is to portray against the background of Southern economic development during the 1920's the history of an enterprise whose remarkably rapid growth and tragic collapse constitute a unique episode in Southern finance." (Preface.)

The chapters are entitled: I. The Founding of Caldwell and Company; II. Municipal Bond Operations; III. Real Estate Bond Operations; IV. Initial Investments in Financial Institutions; V. Internal Development: 1918-1925; VI. Expansion into Industrial Financing; VII. Growth of Investments in Insurance Companies; VIII. Growth of Investments in Banks; IX. The Organization of a Southern Investment Trust; X. Investments in Newspapers; XI. Political Affiliations; XII. Caldwell and Company at the End of 1929; XIII. The Merger with Banco Kentucky Company; XIV. The Scramble for Cash; XV. Internal Conflict; XVI. The Crash of the Empire; XVII. The Political Aftermath; XVIII. Criminal Prosecutions; XIX. Civil Actions Arising from the Crash; XX. Liquidation of the Caldwell Interests; XXI. Conclusion.

The work contains footnote references, a selected bibliography, and several appendices.

Municipal Government and Administration in Tennessee. By Lyndon E. Abbott and Lee S. Greene. Study No. 5 of the Bureau of Research of the School of Business Administration. (Knoxville: University of Tennessee, Division of University Extension, Vol. XV, No. 1, February, 1939. 128 pp.)

"This report is essentially a description of selected aspects of Tennessee municipal government and its administration. It is intended to assist in answering some of the questions concerning the form and operation of municipal government which are frequently raised. Among such questions are: Under what conditions and by what methods may a community become incorporated? What various forms of municipal government exist and to what extent is each being used? How broad are the powers granted to municipal corporations? What relationships prevail between municipalities and the counties wherein they are located? What forms has state control of municipal units assumed? How have Tennessee cities cared for the troublesome problems of personnel, finance administration, planning, and public ownership of utilities? (Preface.)

The chapters are entitled: I. The Pattern of Urban Population; II. The Municipality as a Unit of Government; III. The Functions of Municipalities; IV. The Relation of the Municipality to Other Units of Government; V. Forms of Municipal Government; VI. Personnel Administration; VII. Revenues, Property Tax Administration, and Expenditure Control; VIII. Indebtedness and Debt Administration; IX. Public Service Enterprises. The work is documented and indexed and includes a number of valuable tables and charts. The first five pages are devoted to "Conclusions and Recommendations."

BOOK RECEIVED

Felix Grundy: Champion of Democracy. By Joseph Howard Parks. Southern Biography Series. (University, Louisiana: Louisiana University Press, 1940. ix + 368 pp., illus., bibl., \$3.00.)

NOTES AND NEWS*

The Calvin M. McClung Award of \$50.00, given annually by Mrs. C. M. McClung, was won this year by Weymouth T. Jordan, of Judson College, Marion, Alabama, for his contribution, "The Freedmen's Bureau in Tennessee," to *Publications* No. 11. The judges who made the decision were James G. Randall, University of Illinois; B. I. Wiley, University of Mississippi; and James L. Sellers, University of Nebraska.

Gilbert Govan, librarian of the University of Chattanooga and editor of the Book Page of the Chattanooga *Times*, presented a paper with title, "The Solid South?," at the annual banquet of the East Tennessee Historical Society at Hotel Andrew Johnson in Knoxville, October 6.

On the afternoon of November 9, the Society held a joint session at Hotel Andrew Johnson with the Southern Political Science Association. Current Governmental Problems was the general topic. Three papers were read and discussed:—"American Democracy in a Changing World," by J. B. Sanders, officer of the Society and head of the department of history, University of Tennessee; "Public Opinion in a Democracy," by C. W. Smith, University of Alabama; and "Demagogy and Agrarianism in Southern Politics," by C. Vann Woodward, University of Florida.

The East Tennessee Historical Society has inaugurated the publication of a series of *Special Studies in Tennessee History* to supplement the annual *Publications* of the Society. The first number of the studies published is *Sectionalism and Internal Improvements in Tennessee, 1796-1845*," by Stanley J. Folmsbee, of the University and editor of the Society's *Publications*.

Officers and editors of the Society for 1940 elected at the December meeting were J. B. Sanders, president; Mary U. Rothrock, Knoxville, J. P. Brown, Chattanooga, and W. F. Rogers, Johnson City, vice-presidents; Lucile Deaderick, treasurer; Laura E. Luttrell, secretary; Joseph A. Sharp and Almira E. Jewell, members of the executive committee; S. J. Folmsbee, managing editor; V. M. Queener, editorial associate; W. Neil Franklin and Culver H. Smith, editors.

*Compiled by Laura E. Luttrell. Unless otherwise indicated all dates refer to 1939.

At the fifth annual meeting of the Southern Historical Association in Lexington, Kentucky, November 2, 3 and 4, J. W. Patton was chairman and S. J. Folmsbee a member of the program committee, and P. M. Hamer was a member of the executive council. J. W. Patton was elected secretary-treasurer. T. M. N. Lewis read a paper, "Archaeological Discoveries in the Tennessee Valley" and Morris L. Wardell, a paper, "Sequoyah's Contribution to Cherokee Culture."

The Mississippi Valley Historical Association held its thirty-second annual meeting in Memphis, April 20, 21 and 22. William C. Binkley of Vanderbilt was chairman of the program committee. Gerald M. Capers, Jr., read a paper, "Ante-bellum Memphis: a Study of its Commercial Interests"; F. Garvin Davenport, a paper, "Scientific Interests in Ante-bellum Nashville"; and Frank L. Owsley spoke on the importance of county records in the South.

The Tennessee Folklore Society held its annual meeting at Carthage, November 4. E. G. Rodgers read a paper, "The Early Doctor." Other papers and discussions were by Ruby Duncan, Dorothy Horne, Bess A. Owens, Otis Parker, and Dr. T. J. Farr.

The fourth annual meeting of the Southeastern Folklore Society was held at the University of Tennessee March 31 and April 1. Edwin C. Kirkland, assistant professor of English at the University is vice-president. Ralph Walker, principal of Townsend High School, read a paper, "A Mountaineer Looks at his Own Speech"; and Edwin R. Hunter, dean of Maryville College, read a paper, "Studying Proverbs." Negro spirituals were sung by N. C. Fitzpatrick, director of music at Knoxville College.

P. M. Hamer, of the National Archives, has a contract to contribute "The South in the American Revolution, 1763-1789" to the ten volume history of the South, sponsored by the University of Texas and the Louisiana State University. This series is to be edited by Charles W. Ramsdell and Wendell H. Stephenson.

T. M. N. Lewis, University of Tennessee anthropologist, was commissioned state archaeologist by Governor Cooper.

John O. Moseley, of Oklahoma, was selected by the board of trustees of the University of Tennessee to succeed the late Felix M. Massey as dean of men.

Frank L. Owsley, of Vanderbilt University, taught in the department of history of the University of North Carolina during the first term of the summer session.

Charles C. Sherrod, president of East Tennessee State Teachers' College, Johnson City, was elected president of the American Association of Teachers' Colleges at the convention of the Association in Cleveland, Ohio, February 25.

Culver H. Smith taught history during the summer session of Duke University.

Mary U. Rothrock, supervisor of the Tennessee Valley Authority libraries, was appointed chairman of the visual methods committee of the American Library Association.

The Social Science Research Council awarded grants-in-aid to Thomas P. Govan, University of the South, (formerly instructor at the University of Chattanooga), for a study of the credit system and the cotton trade in the Old South; and to Daniel M. Robison, Vanderbilt University, for a study of the Whig tradition of the Old South.

Carl T. Vance, superintendent of Morristown public schools, was elected president of the East Tennessee Educational Association at its annual meeting in Knoxville, October 28.

Fred B. Ballard, of Chattanooga, was appointed in February by Governor Cooper judge of the sixth judicial circuit (Hamilton county) to succeed Oscar Yarnell, who retired because of ill health.

Joseph E. Brown, former Republican representative in Congress elected in 1920 from Chattanooga district, died June 13. He was born in Jasper, Tennessee, the son of the late Foster V. Brown, who was a congressman in 1894.

Dr. Oscar Eugene Brown, aged 77, who had retired as dean emeritus of the school of religion of Vanderbilt University, died October 22. His funeral service was conducted by Bishop Paul B. Kern and Dr. Gaston J. Harrell in Nashville.

Bishop Wallace Elias Brown, elected a bishop in 1924, died November 18 in Portland, Oregon, at the age of 71 years. From 1932 to May 10, 1939, he was head of the Chattanooga area of the Methodist Episcopal Church. In October he was in Knoxville assisting in the union of the annual conferences of the Methodist Episcopal and the Southern Methodist denominations. His wife and five sons survive him.

Prentice Cooper was inaugurated governor of the state January 16, in Nashville. He appointed the following commissioners: Agriculture, Clinton Jones; banking and insurance, James McCormack; conservation, J. Charles Poe; education, B. O. Duggan; finance and taxation, Estes Kefauver (succeeded by George F. McCanless); health, Dr. W. C. Williams; highway, Clarence W. Phillips; institutions, Andrew Taylor, Jr.; labor, Sidney Bryant; welfare, Paul Savage; state adjutant-general, Thomas B. Frazier.

Wirt Courtney, of Franklin, was elected representative in May to serve the unexpired term in Congress of the late C. W. Turner. He represents the sixth district.

Leslie R. Darr, of Jasper, was appointed by President Roosevelt to the roving federal judgeship of the eastern district of the state. This post was to have been held by W. Baxter Lee, of Knoxville, had he not died suddenly before taking the oath of office.

Elmer D. Davies, appointed by President Roosevelt, took the oath of office as federal judge of the middle district of the state at Nashville, July 17. Chief Justice Grafton Greene of the state supreme court administered the oath. Judge Davies succeeded the late Judge John J. Gore.

John J. Gore, federal district (Middle Tennessee) judge died in February in Nashville. He was born in Gainesboro, Jackson county, and was appointed to the federal bench in 1923.

Richard Halliburton, author and adventurer who was lost at sea while attempting to cross the Pacific in a Chinese junk, was declared legally dead and his will probated in July.

Dr. Charles O. Hill, head of the chemistry department, University of Tennessee, died September 17. He graduated from the University in 1888.

Reverend J. L. Hudgins, for twenty years editor and manager of the Cumberland Presbyterian Publishing House in Nashville, died July 11, at the age of 82 years.

Judge John Jennings, Republican of Knoxville, was elected United States congressman of the second congressional district, December 30, to fill out the unexpired term of the late J. Will Taylor.

Estes Kefauver, former state commissioner of finance and taxation, was elected to Congress from the third district in September. He succeeded the late congressman, Samuel Davis McReynolds.

James Hampton Kirkland, chancellor of Vanderbilt University for forty-five years and chancellor emeritus since July, 1937, died August 5 at his summer home in Canada. His wife was the daughter of the late Colonel William A. Henderson, of Knoxville; she and a daughter survive the chancellor.

William Baxter Lee, of Knoxville, appointed federal judge for eastern Tennessee, died February 7, just before his official commission was received by mail. He was a graduate of the University of Tennessee and of the law school of the University of Michigan.

Samuel Davis McReynolds, of Chattanooga, died July 11, in Washington. He was United States representative from the third district; had served sixteen years and was chairman of the Foreign Affairs Committee.

Harcourt A. Morgan, TVA chairman and former president of the University of Tennessee, received an honorary degree, Doctor of Letters, from the University of West Ontario, Canada, June 7, just fifty years after he had received there the degree of Bachelor of Science. On May 8 he was reappointed by President Roosevelt a director of the Tennessee Valley Authority for a term of nine years.

A bronze bust of Senator George W. Norris, of Nebraska, father of the Tennessee Valley Authority, was placed in the Norris Dam power house and unveiled September 4.

Former senator James Pinckney Pope, of Idaho, was appointed a director of the Tennessee Valley Authority to succeed Arthur E. Morgan, removed.

Opie Read, humorist, author of more than fifty books and native of Nashville, died November 2, at the home of his daughter in Chicago. His autobiography was entitled *I Remember*.

Reverend Morton McCaslin Rodgers, of the faculty of Maryville College, died September 4. Burial was in Newcastle, Pennsylvania.

Mrs. Franklin D. Roosevelt gave a lecture, "The Relationship of the Individual to the Community," in Chattanooga, September 12.

Newell Sanders, life member of the East Tennessee Historical Society, wealthy retired manufacturer and former United States senator, died at his home on Lookout Mountain, January 26.

E. Munsey Slack, president of the Bristol Publishing Corporation, publisher of the Bristol *Herald-Courier* and of the Bristol *News Bulletin*, died at Abingdon, Virginia, December 7. He was born in Bristol in 1877; was a son of the late John Slack, who was also a newspaper publisher. Seven children survive him.

Thomas Stewart, who succeeded George L. Berry as United States senator, was sworn into office on January 17 by Vice-President Garner.

John Albert Switzer, of the engineering faculty of the University of Tennessee, died at his home in Knoxville, April 20.

J. Will Taylor, congressman since 1918 representing the second congressional district of the state, died at his home in LaFollette, November 14.

Reverend S. W. Tindell, retired Baptist minister and author, died November 17. He was a native of Knox county; lived at Johnson City. Reverend Tindell served as a captain in the Union army during the Civil War; was a former president of Carson Newman College. He was widely known as an organizer of Baptist churches in East Tennessee, as an editor, and as an authority on Baptist history.

Clarence Turner, congressman and member of the House Military Affairs Committee, died in Washington, March 24. He was 72 years of age. Burial was in Waverly, Tennessee.

James Isaac Vance, well known Presbyterian minister and author of *The Field is the World*, died at Blowing Rock, North Carolina, November 24. He was born in Sullivan county; was educated at Kings College, Bristol, and at Union Theological Seminary at Richmond. Burial was in Nashville, his home city.

Lapsley G. Walker, editor-in-chief of the Chattanooga *Times*, died July 12, at the age of 84 years. He was born at Rogersville; graduated from Princeton in 1854.

November 28 was the centennial of the erection of Polk county from parts of McMinn and Bradley counties. Though there was no formal celebration the schools in the county gave considerable attention to its history.

The union of the conferences of the Methodist Episcopal Church and the Southern Methodist Church in East Tennessee was formed and celebrated in Knoxville, October 3-7. About a thousand dele-

gates convened for this purpose. Bishop Wallace E. Brown, Paul B. Kern and others took active parts in the unification. In Nashville and other towns in the state similar mergers took place during the autumn.

The Main Street Presbyterian Church of McMinnville celebrated its centennial July 6. The church was organized in 1839 by Reverend Jesse E. Hickman, and Reverend A. M. Stone became the first pastor. Reverend A. J. Van Wyck has charge of the church at present.

The Spring Hill Methodist Church observed its centennial with a series of services which began Sunday, July 23, and concluded July 29. Former pastors took part in the celebration. The first pastor was Reverend John S. Davis; the present one, Reverend J. J. Stone.

The Tennessee Daughters of the American Revolution, at the annual conference in Knoxville in November, voted to build a health unit at Baxter Seminary, one of the approved schools located on the Cumberland Plateau.

A school of technology is to be established and maintained in Memphis with funds left for that purpose by the will of W. R. Moore—"a school where boys can learn to make a living with their hands."

Tusculum College received in February \$275,000 from a trust fund establishment by Mrs. Nettie Fowler McCormick, grandmother of Cyrus McCormick, of Santa Fe, New Mexico. He spoke on "Special Values at Tusculum" at the annual "McCormick Day" at the College, February 8. An address, "Education and Democracy," was delivered by James P. Pope, of Idaho, a director of the TVA who was given an honorary degree by the College. Bonnie Tom Robinson gave a sketch of the College and a history of the McCormick gifts. This was published in the Knoxville *News-Sentinel* of February 9.

The Civil Aeronautics Authority allotted nine colleges and universities in the state with a total number of two hundred students to participate in pilot training.

The Calvin M. McClung Historical Collection, Lawson McGhee Library, has acquired films of a number of newspapers which are read by use of the recordak presented last year by Mrs. C. M. McClung. The papers are *Brownlow's Whig*, May 16, 1839-Sept. 15, 1869; *Knoxville Register*, Jan. 2, 1821-July 8, 1862 (scattered numbers); *Knoxville Enquirer*, Jan. 2-Dec. 1828; *American Statesman*,

Apr. 20, 1853-Dec. 2, 1854; *Western Chronicle*, May 13, 1829-Jan. 20, 1830; *Knoxville Standard*, Jan. 6, 1846-April 11, 1848; *Nashville Constitutional Advocate*, July 3, 1822-Jan. 17, 1824; *Nashville Whig*, Sept. 2, 1812-Apr. 22, 1826, and *Nashville Republican*, Mar. 27, 1824-Dec. 31, 1836.

Copies of the county records compiled and typewritten by the WPA are filed at the University Library and at the Tennessee State Library.

George F. Milton has presented to the University of Chattanooga Library one hundred volumes of American history and biography which he had collected while writing *The Age of Hate* and *The Eve of Conflict*.

The University of North Carolina had added to its Southern historical collection of manuscripts fifty letters to and from Felix Grundy, the papers of Theodore Richmond, of Ohio and Tennessee, and the diary of Kate S. Carney, of Murfreesboro.

The Chattanooga Woman's Press Club presented a pageant, November 24, "The English Colony at Rugby, Tennessee." McConnell Erwin is the author of the pageant, which was directed by Miss Johnnie Walker.

Markers were placed, October 15, by the Campbell Chapter, Daughters of the American Revolution, at the graves of Andrew McDonough, Revolutionary soldier and grandfather of President Andrew Jackson; and of William Roberson also a soldier of the Revolution. These graves are located in the Roberson family cemetery in Bledsoe county six miles south of Pikeville. Mrs. W. H. Hollinshead, regent of the Chapter, presided at the unveiling of the markers. Speakers were Mrs. John Trotwood Moore, Mrs. Penelope J. Allen, Samuel R. Reed, and Margaret Johnson Patterson, of Greeneville.

A marker at the grave of Andrew McDonough, Jr., soldier of the War of 1812 and uncle of President Andrew Johnson, was dedicated, October 29, by the Thomas Hart Benton Chapter, Daughters of the War of 1812. The grave is located near Apison, Hamilton county, on the farm once owned by the deceased soldier. Mrs. H. A. Cragon, of Nashville, presided at the unveiling.

The Laura Spelman Rockefeller memorial at New Found Gap in the Great Smoky Mountains National Park was completed with the placing of a bronze tablet with inscription in the center of the rock wall.

The *Chattanooga News* suspended publication December 16. George Fort Milton, former publisher of the *News*, and several of his staff members filed a charter, December 28, with the secretary of state for incorporation as the *Chattanooga Tribune*. This company will begin soon the publication of a paper, *The Evening Tribune*.

Of interest appearing in the press: The *Chattanooga Times*, June 26, "De Soto in Chattanooga," by Zella Armstrong; July 30, "Hughes Public Library, Rugby," by George Keen; *The Lookout*, November 10, "The Ocoee District," by John F. Barksdale; *Knoxville Journal*, September 3, "John Kirkpatrick Honored by a Marker Near Whitesburg," by E. Spears McCullough; Dec. 17, "Kingston Once—For Two Hours—was the Capital of Tennessee," by E. E. Patton.

The *Knoxville Journal* of August 6 was a special edition featuring the history of North Knoxville and Fountain City. That of August 17 was a Century of Progress edition featuring the history of the *Journal*, TVA, Smoky Mountains National Park, Knoxville churches, historic places, business, finance, industry, University of Tennessee and colleges of the state. "Cavalcade, a Chronological History of Knoxville," by Dean Newman was included.

DIRECTORY OF CONTRIBUTORS

Gilbert E. Govan is librarian of the University of Chattanooga Library and book review editor of the *Chattanooga Times*.

James W. Moffitt is secretary of the Oklahoma Historical Society, Oklahoma City.

Samuel C. Williams, Johnson City, Tennessee, is a prominent lawyer and the author or editor of numerous works on Tennessee history.

Charles P. White is professor of finance at the University of Tennessee, Knoxville.

Harry Williams is an instructor of history at the Municipal University of Omaha, Nebraska.

Claude A. Campbell is associate professor of economics at the University of Oklahoma, Norman.

D. C. Corbitt is professor of history at Candler College, Havana, Cuba. Roberta Corbitt, his wife, an accomplished linguist, assisted in the translations.

Mary Hardin McCown, Johnson City, Tennessee, is an honorary state president of the National Society, Daughters of 1812.

Laura E. Luttrell, formerly head of the McClung Collection, Lawson McGhee Library, is secretary of the East Tennessee Historical Society.

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Tennessee State Library	Western Reserve Historical Society
Texas State Historical Association	William and Mary College
U. S. National Archives	Wisconsin State Historical Society
	Yale University Library

NECROLOGY

Newell Sanders, died Jan. 26, 1939

H. F. Wenning, died Jan. 25, 1939

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A Journal of American History and the official organ

of the

Mississippi Valley Historical Association

Lincoln, Nebraska

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